Par. 8.2.1.1.52
336

Tuesday,
8th December, 1953

PARLIAMENTARY DEBATES

HOUSE OF THE PEOPLE

OFFICIAL REPORT

PARLIAMENT SECRETARIAT
NEW DELHI

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THE
PARLIAMENTARY DEBATES
(Part I—Questions and Answers)
OFFICIAL REPORT

HOUSE OF THE PEOPLE

Tuesday, 8th December, 1953

The House met at Half Past One of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

HIGH DENOMINATION POSTAGE STAMPS

***697. Shri S. N. Das: Will the Minister of Communications be pleased to state:**

(a) whether it is a fact that recently instances have been found where high denomination postage stamps on foreign letters posted in street letter-boxes were found to have been removed during the course of their transmission;

(b) if so, what is the total number of cases that have come to notice; and

(c) whether any enquiry is being made into the matter?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes.

(b) 19.

(c) Yes.

Shri S. N. Das: May I know the value of the sums involved in the cases detected so far?

Shri Raj Bahadur: The largest number of cases which have come to our notice was in Delhi. The number of cases was 11 and the total value Rs. 28 only. There were 6 cases in Bombay but the value was very negligible. There was one case in Rajasthan and there was one in West Bengal and the value being Rs. 3-12-0.

Shri S. N. Das: May I know whether any persons have been prosecuted on this account and if so, what is their number?

Shri Raj Bahadur: We have not been able to lay our hands on the culprits.

FOOD SITUATION

***698. Shri S. N. Das: Will the Minister of Food and Agriculture be pleased to state:**

(a) what is the overall picture of the prospect of the standing food crops in different States;

(b) whether any estimate of the total area and yield has been made and is available; and

(c) what is the present food situation and future prospects of such of **the areas as were affected by floods?**

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) The overall prospects of the standing food crops in the different States are reported to be generally satisfactory.

(b) A statement showing the Preliminary Estimates of acreage under Kharif Cereals is placed on the Table of the House. [*See* Appendix IV, annexure No. 1.]

Estimates of Production are not yet due.

(c) The present over-all food position is generally satisfactory. In spite of the floods the crop prospects are not unsatisfactory.

Shri S. N. Das: May I know the parts of Mysore, Bombay and Madras States which have suffered from inadequate rainfall, and may I also know whether there has been sufficient rainfall now?

Shri M. V. Krishnappa: These parts of Mysore, Madras and Bombay States had unprecedented rains this year. Only last year they were scarcity-affected areas.

Shri S. N. Das: May I know whether in North Bihar there were some areas which were adversely affected for want of rains during the Hathia season?

The Minister of Food and Agriculture (Shri Kidwai): The hon. Member knows better than I do about the conditions in Bihar.

Shri N. M. Lingam: May I know the estimated percentage increase in production this year over last year's production?

Shri M. V. Krishnappa: The estimated acreage increase is available. We have not been able to find out the estimated production. It will take some time before we can estimate the production this year.

Shrimati Ammu Swaminadhan: The hon. Minister stated just now that certain parts had unprecedented rains this year. May I know whether the rains would spoil the crop or whether it is expected that the crops would be good this year?

Shri M. V. Krishnappa: Whenever there is heavy or excessive rain, there is some damage also. But the overall picture about production will be brighter than what it was last year.

Shri S. N. Das: May I know whether there has been any decrease in any of the States in the acreage of land under food crops?

Shri M. V. Krishnappa: In Bihar, there is some decrease. But in all other States, the acreage is on the increase. I can give the figures.

Mr. Speaker: We will go to the next question.

GRAM SEVAKS

***699. Dr. Ram Subhag Singh:** (a) **Will the Minister of Food and Agriculture** be pleased to state the number of centres opened for training *gram sevaks* for Community development work in various States?

(b) How many trainees have so far passed out from these centres?

(c) Do Government propose to impart at some of these centres longer training for producing agricultural diploma holders?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) 34.

(b) 2586 upto 31st October, 1953.

(c) Yes, it is proposed to impart training in basic agriculture for a period of one year at 22 of the existing Extension Training Centres.

Dr. Ram Subhag Singh: It has just now been stated that it is proposed to start some basic centres at some of these institutions. May I know whether there is any proposal before the Government to start any new basic agricultural school for giving training in agricultural diploma?

Shri M. V. Krishnappa: Yes. In addition to the new wings that we attach to the existing extension training centres, we intend to establish 22 new agricultural schools this year.

Dr. Ram Subhag Singh: May I know where these schools will be established and how many students will be given training in these basic schools?

Shri M. V. Krishnappa: The number, as I said, is 22. In Bombay we intend to start 2; in Bihar 2; in Madhya Pradesh 2; in Madras 3; in Orissa 1; in Punjab 2; in West Bengal 2; in Hyderabad 1; in Madhya Bharat 1; in PEPSU 1; and in all other States 1 each.

Dr. Ram Subhag Singh: Are the students admitted into these institutions on the basis of competition or simply as the principals require?

Shri M. V. Krishnappa: A certain amount of minimum qualification will be fixed. It is the State Government's concern.

Dr. Ram Subhag Singh: What will be the qualification?

Mr. Speaker: We will go to the next question.

RAILWAY EARNINGS

***700. Dr. Ram Subhag Singh:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that there has been a marked fall in the passenger and goods earnings of the Indian Railways this year; and

(b) if so, the reasons therefor?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No.

(b) Does not arise.

Dr. Ram Subhag Singh: May I know whether there has been any increase in the receipts from fares and freights this year?

Shri Alagesan: No increase, but a slight fall.

Shri Punnoose: Some time back it was stated on the floor of the House that there was a slight fall. Does it continue, or has the situation improved?

Shri Alagesan: Not only sometime back, but just now I stated that there has been a slight fall.

Shri Damodara Menon: May I know whether the slight fall is due to the present rate of fares?

Shri Alagesan: No, Sir. It cannot be attributed to that.

Shri Kelappan: In reply to part (b), the hon. Minister first said "Does not arise" and then he says that there was a slight fall.

Shri Alagesan: The question asked was whether there was a "marked fall"!

Mr. Speaker: Let us go to the next question.

OIL-CAKES

***701. Shri V. P. Nayar:** (a) Will the Minister of Food and Agriculture be pleased to state whether Government had sanctioned in 1949 a scheme for investigation of nutritive value of different oil cakes produced by *ghanni* and expeller processes?

(b) Will Government place on the Table of the House a statement showing the extent to which different proposals in the scheme have been implemented so far?

(c) What is the total cost incurred on this scheme so far?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) Yes.

(b) A statement is placed on the Table of the House. [*See* Appendix IV, annexure No. 2.]

(c) Rs. 1,15,810/-/- (actual) till 31st March, 1953.

Shri V. P. Nayar: From the statement, it is seen that the scheme has been extended for a further period extending up to March 1955. May I know whether it is not a fact that the delay in going through with the scheme was due to the appointment of staff, non-availability of funds and the difficulty in procurement of sample cake?

Shri M. V. Krishnappa: Yes, that is one of the reasons, because it is a very complicated matter. It is a question of research. It is very important for us to get the required quantities of various cakes and the operatives we had to recruit had to be well-qualified staff. Therefore, it took some time and that was the reason for extending this period.

Shri V. P. Nayar: May I know whether this research is confined only to finding out the nutritive value of oil cakes for cattle or for human beings also?

Shri M. V. Krishnappa: For the present, it is confined to cattle; after proper investigation is carried out, we may take some steps to extend it to all other spheres.

Shri V. P. Nayar: Are Government aware that in Travancore-Cochin especially, many people eat oil cakes?

Shri M. V. Krishnappa: In many parts of this country villagers eat oil cake. In my village also, they eat oil cake.

FISH PRODUCTION

***702. Shri V. P. Nayar: Will the Minister of Food and Agriculture be pleased to state:**

(a) whether the figure of fish production in India has shown a steady decline since 1951 and if so, the reasons;

(b) whether it is a fact that at the end of the 3rd year of the Five Year Plan, the production of fish has been considerably less than what it was before the Plan started; and

(c) if so, the steps taken by Government to step up production to attain the target of the Plan?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) No.

(b) Figures of production for the third year of the Plan, *viz.* 1953-54, are not yet available.

(c) In addition to general development work in most of the States, steps are being taken to increase production of fish under the following schemes:—

(1) G. M. F. fisheries schemes.

(2) Expansion of marine fisheries under the T. C. A. Programme.

(3) Fishing community development project under the Norwegian aid programme.

(4) Cooperative Fisheries development under Canadian Assistance Programme.

Shri V. P. Nayar: Could I know from the hon. Minister what has been the specific increase in the catch of fish from marine sources on account of the working of the Five Year Plan so far?

Shri M. V. Krishnappa: It is on the increase as I have already said. The figures are: In 1951, it was 7,51,000 tons; in 1952, it increased by about 2,000 tons. But in 1952, one factor has to be taken into account. The sardine fish which contributes to the total catch to a very great extent was absent that year; we could not get it, because it is a complicated thing, the difficulty being that only once in two years or so, they come nearer to the shores.

Shri V. P. Nayar: The hon. Minister said that the deficit was mostly due to sardine fishing. May I know whether he is aware that in the matter of sardines we have suffered a loss of about 10 lakh maunds in one year off the coast of Malabar?

Shri M. V. Krishnappa: It is more than that. It is 90,000 tons.

Shri V. P. Nayar: May I know whether Government have enquired into the causes for this?

Shri M. V. Krishnappa: It is beyond human control. This is a particular type of fish which happens sometimes to come nearer to the shore and sometimes it goes far off from the shore. It is not our fault.

Shri V. P. Nayar: Are Government aware that sardine fish is a regular source of income for the fishermen who are fishing off the Malabar coast every year?

Shri M. V. Krishnappa: It is a fact

TOURISTS

***703. Shri Amjad Ali:** Will the Minister of Transport be pleased to state:

(a) whether there is a rest camp in the Kazirenga Forests Game Sanctuary of Assam for tourists to see the rare species of animals; and

(b) what facilities are now provided to tourists in Assam to see various places of interest in that State?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) There is a furnished Inspection Bungalow at Baguri near Kazirenga where visitors to the Sanctuary can stay.

(b) The important places of tourist interest in Assam are Shillong, where good hotels exist, the Kazirenga Wild Life Sanctuary, where there is an Inspection Bungalow nearby, and the Manas *i.e.* the North Kamrup Game Sanctuary where suitable arrangements for the stay of visitors are made if advance notice is given to the State Forest Department.

Shri Amjad Ali: Arising out of part (a) of my question, what are the rare species of animals that tourists are expected to see in the Kazirenga Game Sanctuary of Assam?

Mr. Speaker: I am afraid this is going much beyond the scope of the question.

Shri Shahnawaz Khan: I can tell him.

Mr. Speaker: He may tell him; but it is not within the scope of the question.

Shri Amjad Ali: It is specifically mentioned in my question 'to see the rare species of animals'.

Mr. Speaker: It does not mean—as I could read the language—giving a whole list and a description.

Shri Amjad Ali: May I know what facilities in the nature of pamphlets, books and other propaganda leaflets —as has been done in the case of Kashmir and Kulu—have been provided with regard to the State of Assam to give the tourists an idea of what objects of interest they can see in Assam and for development of tourist trade in the country?

Shri Shahnawaz Khan: I believe no specific literature is being published in respect of sanctuaries in Assam, but there is a general type of pamphlet that is published in regard to various places of interest, particularly for those who are interested in seeing wild life.

Shri Amjad Ali: Has there been any attempt to build tourist trade in that side of the country?

The Minister of Railways and Transport (Shri L. B. Shastri): The Assam Government is taking interest in that matter. If they want any help from us regarding literature, etc., we will be most willing to give it.

SLEEPING TABLETS

***704. Shri D. C. Sharma:** Will the Minister of Health be pleased to state:

(a) what kinds of sleeping tablets are in use in India;

(b) how many of these are manufactured in India and how many are imported from other countries; and

(c) whether the habit of taking these is on the increase or on the decrease?

The Deputy Minister of Health (Shrimati Chandrasekhar): (a) The following kinds of sleeping tablets are commonly used in India:

(1) Barbiturates and

(2) Alkaloids of opium.

(b) Barbiturates are imported. Alkaloids of opium are manufactured in India.

(c) It is not possible to express any definite views in the matter. The imports, however, show a progressive decline and no complaints have been received by Government that this habit is on the increase.

Shri D. C. Sharma: May I know, Sir, if the WHO is contemplating to conduct an enquiry into the use of sleeping tablets in India as they have done in Europe?

Shrimati Chandrasekhar: I have no information, Sir.

Shri D. C. Sharma: May I know, Sir, if the sleeping tablets that are in use in India have been analysed by any research laboratories?

Shrimati Chandrasekhar: All the drugs are analysed.

Shri D. C. Sharma: May I know, Sir, if the Minister is aware of the fact that the use of sleeping tablets is like addiction to drugs and whether the Ministry is going to educate the public about the pernicious effects of these tablets?

Shrimati Chandrasekhar: These tablets are issued to the public only under medical practitioner's certificates.

Shri V. P. Nayar: Are Government aware that drugs like Gardinal are sold free to people and there have been cases already of over-dosage and death. Especially, when people want to commit suicide such drugs are used.

Mr. Speaker: Order, order.

RAILWAY PORTERS

***705. Shri D. C. Sharma:** Will the Minister of **Railways** be pleased to state what action Government have taken on the representation made by the Delhi railway porters on the 5th of August, 1953?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): The hon. Member is presumably referring to the representation headed "A Memorandum on the demands of the licensed porters working in Delhi for consideration of Members of Parliament" submitted by the Railway Coolie Union, Delhi, a copy of which was sent to the Minister for Transport and Railways. A statement indicating the results of the examination made of the various demands of the Railway Coolie Union, Delhi Jn. is placed on the Table of the House with reference to an undertaking given in reply to one of supplementary questions asked in connection with Starred Question No. 1088 on the 7th September, 1953. [*See* Appendix IV, annexure No. 3.]

Shri D. C. Sharma: May I know, Sir, if the railway porters are not railway servants, under what category do they come?

Shri Shahnawaz Khan: They are not railway servants; they are licensees.

Shri D. C. Sharma: May I know, Sir, what is the difference between a railway servant and a Licensee, as my hon. friend is trying to make out?

The Minister of Railways and Transport (Shri L. B. Shastri): He is engaged by a contractor; therefore, he is not a railway employee. He is not directly paid by the railway.

Shri D. C. Sharma: May I know, Sir, whether Government are aware of the evil effects of the contract system under which these railway porters are engaged?

Shri L. B. Shastri: We are aware of that. We consulted several unions at different places and they have not favoured the proposal of the contract system being dropped and the decasualisation system being introduced.

Shri D. C. Sharma: What efforts are Government making to overcome the evil effects of the contract system?

Shri L. B. Shastri: It is for the coolies to agree first.

Shri A. N. Vidyalankar: May I know whether similar representations have been received from porters working at other stations too?

Mr. Speaker: The question is restricted to Delhi railway station.

Shri Sarangadhar Das: May I request the Minister not to use the word "coolie" but porter?

SHORTAGE OF RAILWAY WAGONS

***706. Shri D. C. Sharma:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the shortage of wagons is keenly felt in the Northern Railway; and

(b) what steps Government are taking to overcome it?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) Until the end of November there was hardly any shortage of wagons on the Northern Railway and loading was generally current. During the busy season, which lasts from December to June, however, it is not possible to meet currently all the demands for wagons.

(b) By getting more wagons and locomotives.

Shri D. C. Sharma: May I know, Sir, if people have not complained against the short supply of coal on account of scarcity of wagons?

Shri Shahnawaz Khan: There have been very few complaints. Whatever complaints have been received have been very thoroughly scrutinised.

Shri D. C. Sharma: May I know, Sir, if complaints have not been made to the effect that certain goods could not be sent to other places because of short supply of wagons?

The Deputy Minister of Railways and Transport (Shri Alagesan): I do not know what specific complaint the hon. Member refers to. Up till November we have been able to move the traffic that offered currently and there were no outstandings. From December onwards it may go up a little.

Shri D. C. Sharma: I must say it is not the right way of replying. You will not give us time: otherwise I can give a list of the complaints.

Mr. Speaker: The hon. Member will appreciate that Question Hour is to be utilised for getting as accurate information as possible with the least of argument.

Shri D. C. Sharma: All right, Sir. Have the hosiery merchants not complained that they are not getting the required number of wagons for the transport of goods?

Shri Alagesan: I can only state that on the Northern Railway as far as the month of October is concerned we have been able to move the goods that offered for loading. That shows that we are able to move the traffic currently. I have figures with the help of which I can make that statement.

WIRELESS FREQUENCIES

***707. Sardar Hukam Singh:** Will the Minister of **Communications** be pleased to state:

(a) whether the number of available frequencies for radio is far outstripped by the present total world demand;

(b) whether the contemplated list indicating the specific frequencies to each wireless circuit in the world could be agreed to, and any frequency assignment plan has been prepared by E.A.R.C. Geneva in 1951; and

(c) whether our "Wireless Planning and Co-ordination Branch" has been able to clear frequencies for our present needs?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes.

(b) India was a participant in the Extraordinary Administrative Radio Conference held at Geneva in 1951 and is a signatory with certain reservations to the Agreement arrived there. No plan covering the frequency assignments to all circuits in the world was prepared. Plans for certain services only were adopted and India has agreed to them subject to her reservations.

(c) The Wireless Planning & Co-ordination Branch has been progressively clearing frequencies and implementing the assignments in the approved plans.

Sardar Hukam Singh: May I know whether the allotment made by the Geneva Conference placed us in a handicap because that allotment could not meet our requirements

Shri Raj Bahadur: As a matter of fact, so far as radio services are concerned we are not as well developed as the other important countries in the world are. The Extraordinary Administrative Radio Conference at Geneva had only adopted plans for the distribution of frequencies for the aeronautical and maritime mobile services and for services in the frequency bands between 14 kilo-cycles and 2,850 kilo-cycles. With regard to the remaining sector of the spectrum between 3,950 kilo-cycles and 27,500 kilo-cycles no agreements could be arrived at. And all countries have been left at that.

Sardar Hukam Singh: May I know whether our body has cleared our frequencies which may be free from harmful international interference?

Shri Raj Bahadur: This is one of the functions of the Wireless Planning & Co-ordination organisation. We try to protect our services against harmful international interference. We also try to explore the other for free frequencies or frequencies which can be made available to us.

Sardar Hukam Singh: Because it is its function I wanted to know whether it has succeeded in performing that function and, if so, to what extent.

Shri Raj Bahadur: The organisation came into being as late as 1952. It has been carrying on one of its important functions, namely, implementing the decisions of the Extraordinary Administrative Radio Conference. And it has been trying to fit in the requirements of the aeronautical and mobile maritime services as well as other navigational services, to the bands of frequencies which have been allotted therein. There is a long list of items about what has been done. But so far as exploring new frequencies is concerned, it has started a small monitoring organisation. And as time proceeds and our equipment is made more and more perfect we shall try to avail of that.

Shri S. C. Samanta: May I know, Sir, whether the C.C.I.R. Study Group of the E.A.R.C. under the chairmanship of an Indian has studied the maximum power for short distance high frequency broadcasting in tropical zones?

Shri Raj Bahadur: That is also one of the subjects to which it devotes its attention.

PAYMENT OF MONEY ORDERS

***708. Sardar Hukam Singh:** Will the Minister of **Communications** be pleased to state:

(a) whether the police enquiry in respect of money orders purporting to have been issued from Chandni Chowk, Delhi, and Meerut City post offices, whose value was paid in March 1953 from Dhanbad Head Office referred to in unstarred question No. 38 asked on the 4th August, 1953 has been completed; and

(b) what action has been taken as a result of the enquiry?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) The case is still under police enquiry.

(b) Does not arise.

Sardar Hukam Singh: May I know whether any postal employees are also being tried?

Shri Raj Bahadur: An ex-postal employee named Balwant Singh, son of Sardar Natha Singh of Gurdaspur has been found to be connected with the crime.

Sardar Hukam Singh: What were the special difficulties in completing the enquiry? It has taken so long.

Shri Raj Bahadur: It means going into the records of the post offices concerned and trying to find out the various missing links of evidence.

VETERINARY RESEARCH INSTITUTE

*709. **Sardar Hukam Singh:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the Indian Veterinary Research Institute has been recognised as an International Training Centre in the manufacture of biologicals;

(b) whether any students from foreign countries have come here to conduct research in this Institute since its recognition; and

(c) what progress has been made towards improvement of methods for manufacture of various sera and vaccines?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) No. The question of recognition of the Veterinary Research Institute as an International Training Centre in the manufacture of biologicals does not arise because there is no international agency charged with the function of extending such recognition. However, for the specific purpose of training in the manufacture of virus vaccines in freeze-dried form the F.A.O. recognised the Institute for such training and conducted a course which was attended by trainees from India and a number of other countries.

(b) No.

(c) The manufacture of certain virus vaccines in dry form by the freeze-drying process constitutes the latest improvement in the methods of manufacturing vaccines.

Sardar Hukam Singh: May I know whether our Institute manufactured any biological products which were sent to foreign countries as well, during 1953?

Shri M. V. Krishnappa: I want notice for that.

RAILWAY USERS' CONSULTATIVE COMMITTEES

*710. **Shri S. C. Samanta:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that complaints have been received as regards the non-inclusion of representatives of Passengers' Associations in Regional or Divisional Committees of the Railway Users' Consultative Committees;

(b) if so, from what zones;

(c) what is the nature of the complaints; and

(d) whether it is a fact that long established Passengers' Associations have been denied representation, and representatives from organisations of less standing have been taken in?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) and (b). A few complaints have been received against the non-representation of certain Passengers' Associations on the Regional or Divisional Railway Users' Consultative Committees on the Western, Eastern, Southern and North-Eastern Railways.

(c) The complaints are generally against non-inclusion of the representative of specific associations on the Regional and Divisional Committees.

(d) No.

Shri S. C. Samanta: May I know whether new organisations in Calcutta of one year's standing have been represented while associations of four or five years' standing have not been consulted and taken in?

Shri Shahnawaz Khan: In the constitution that has been worked out for the Railway Users' Consultative Committees there is a provision for having two members from amongst the Passenger Associations. As it happens, there are lots of Passenger Associations, and to the best of our ability we selected the two best ones.

Mr. Speaker: His point of complaint is that representatives from senior associations are not taken and junior associations are given preference. He is hinting favouritism.

Shri Shahnawaz Khan: It can be that the new Associations are more active and more representative.

Shri S. C. Samanta: May I request the hon. Minister to see whether one portion of the Eastern Railway has been left out and representatives from other areas have been taken in?

The Deputy Minister of Railways and Transport (Shri Alagesan): It is very difficult to answer in respect of a particular region. There are various committees, regional committees and zonal committees. If the hon. Member draws our attention to any serious omission, we will certainly look into it and repair it.

Shri S. C. Samanta: May I know whether it is a fact that while giving representation to agricultural interests, only men from agricultural directorates have been taken and agricultural associations have not been taken into account?

The Minister of Railways and Transport (Shri L. B. Shastri): The States were asked to recommend names and we have accepted the names recommended by the States.

Pandit D. N. Tiwary: May I know whether Government has made any enquiry about these associations, whether they are self-formed or have some constitution under which they work?

Shri Shahnawaz Khan: These associations have to be registered as a matter of principle.

JUTE PRODUCTION

***711. Shri S. C. Samanta:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the prospect of jute production in India in 1953-54;

(b) whether the acreage has fallen in comparison with that of the previous years;

(c) if so, the reasons therefor; and

(d) how the target of additional jute production fixed by the Planning Commission is proposed to be reached?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) Jute production in India in 1953-54 is expected to register a fall as compared with the previous year.

(b) Yes.

(c) (i) Fall in the price of raw jute at the time of sowing. (ii) Unfavourable weather conditions.

(d) The fall in production in 1953-54 was due to circumstances mentioned against part (c) of the Question and there is no reason to believe that these conditions will persist during the remaining period of the Plan. Besides the Government of India propose to adopt the following measures to intensify cultivation with a view to increasing the jute production:—

(i) multiplication of improved jute seeds for distribution to cultivators;

(ii) excavation of new and re-excavation of old retting tanks;

(iii) application of manures and chemical fertilisers to the jute crop;

(iv) increased use of seed drills and wheel hoes for sowing and cultural operations; and

(v) adoption of plant protection measures.

Shri S. C. Samanta: In reply to part (c) of the question, the hon. Minister said that due to fall in prices, the jute production has fallen. May I know whether Government is sanguine about imports from Pakistan being regular and continuous?

Shri Kidwai: I have stated several times that jute production will go up or go down according to the prices of alternative crops. The price of rice in Bengal is very low and the jute prices are just now high. Jute production will go up.

Shri S. C. Samanta: May I know whether the Government have thought of any plan other than fixing of the price of jute, to have more production?

Shri M. V. Krishnappa: This is the report of the Expert Committee. We have accepted it in its entirety and we are going to execute this plan.

Shri B. K. Das: May I know whether there has been any improvement in our programme of production of quality jute?

Shri M. V. Krishnappa: There has been some improvement. But, the improvement will be marked when we execute this plan

Shri S. C. Samanta: May I know the difficulty that lies in fixing a minimum price for jute?

Shri M. V. Krishnappa: The price of jute is governed by external factors, the market for it in foreign countries and the supply position in Pakistan. We will have to take all these things into consideration. I would like to bring to the notice of the hon. Member that the Ministry of Commerce and Industry has appointed a Committee and they are going into the problem.

Shri L. N. Mishra: May I know what are our annual requirements of raw jute and what is the quantum of deficit that we have in it?

Shri M. V. Krishnappa: We have got a surplus.

Mr. Speaker: Next question.

Shri M. V. Krishnappa: I did not hear the question. Sir. Perhaps I might have given a wrong reply.

Mr. Speaker: We have gone to the next question.

RESEARCH IN LEPROSY

*712. **Shri Krishnacharya Joshi:** Will the Minister of **Health** be pleased to state:

(a) whether Government propose to establish a Central Institute for teaching and research in leprosy in Madras State; and

(b) if so, how far has the scheme progressed?

The Deputy Minister of Health (Shrimati Chandrasekhar): (a) Yes.

(b) The Government of India have recently approved the scheme and steps are being taken to implement it.

Shri Krishnacharya Joshi: May I know whether Government propose to start such Institutes in other States where leprosy is spreading?

Shrimati Chandrasekhar: No.

Shri Krishnacharya Joshi: May I know whether Government are aware that anti-leprosy work is being done by Gandhi Memorial Foundation which has also made arrangements to impart training at Sevagram?

Shrimati Chandrasekhar: I am not quite sure.

Shri Krishnacharya Joshi: Gandhi Memorial Foundation is making an experiment by using Ayurvedic medicines. May I know whether Government also will give a chance to Vaidyas and Hakims to try their drugs on leprosy?

Shrimati Chandrasekhar: All Ayurvedic research is being done in the Jamnagar Institute.

Shri Muniswamy: May I know whether it is a fact that indigenous medicines have proved more effective for leprosy than foreign medicines?

Mr. Speaker: This is covered by the last answer. This is being taken up at Jamnagar.

HOMOEOPATHIC COLLEGES

***713. Shri S. C. Samanta:** Will the Minister of **Health** be pleased to state:

(a) whether it is a fact that the three Homoeopathic Colleges in Calcutta are proposed to be amalgamated into one;

(b) if so, the reasons therefor;

(c) whether it is also a fact that one of those institutions, namely the Calcutta Homoeopathic Society has asked permission to allow itself individually to grow up to a full-fledged Homoeopathic Institution according to standards to be specified by the Central Government; and

(d) if so, whether their request is being considered?

The Minister of Health (Rajkumari Amrit Kaur): (a) and (b). An *ad hoc* Committee on Homoeopathy which comprised certain members of the Homoeopathic profession recommended *inter alia* that the three existing homœopathic colleges in Calcutta should be amalgamated by pooling their resources in men and material to establish one teaching institution of adequate standards.

(c) Yes.

(d) The matter will be considered at the next meeting of the Central Council of Health.

Shri S. C. Samanta: May I know whether the *ad hoc* Committee just now referred to by the hon. Minister has a representative from the West Bengal State Faculty of Homœopathy? If so, may I know why, in spite of his knowledge that one college is too unwillingly to be amalgamated, this decision was taken and why Government acted in the matter in accordance with their advice?

Rajkumari Amrit Kaur: We tried our best to get the three Institutes in Calcutta to agree to the amalgamation. They refused in spite of the intervention of the person to whom the hon. Member refers. Therefore, this decision was taken unanimously by the Committee.

Shri S. C. Samanta: May I know how this *ad hoc* committee was formed? May I know the method of selection of the Members?

Rajkumari Amrit Kaur: There were five Members of the Homoeopathic profession who are well known all over India, and two representatives of the Government of India.

Shri S. C. Samanta: Is the Government aware that there are some Associations or institutions who are not satisfied with the appointment of such committees because the selections have been wrong in their opinion?

Rajkumari Amrit Kaur: There are always objections from some quarter or other.

SUBSTITUTES FOR PETROL

***714. Shri Gidwani:** (a) Will the Minister of **Transport** be pleased to state whether the attention of Government has been drawn to a P.T.I. report published in the *Indian Express* of the 7th October, 1953 to the effect that Shri Iqbal Kishen Bharati, a scientist of PEPSU gave a demonstration there on the working of an apparatus which substitutes water and kerosene for petrol in the running of a motor car?

(b) Was the demonstration watched by the Adviser to the PEPSU Government, who drove in a car fitted with the apparatus?

(c) Have Government tested the apparatus?

(d) If so, with what result?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). Yes.

(c) No. The Government of PEPSU are, however, taking steps to get the apparatus tested.

(d) Does not arise.

Shri Gidwani: What will be the cost of the apparatus?

Have the Government any information?

Shri Alagesan: We cannot say accurately. It is claimed that it costs about Rs. 400 or 500.

Shri Gidwani: What will be the reduction proportionately in the rate of mileage?

Shri Alagesan: It is too premature to say anything.

INDIAN CENTRAL JUTE COMMITTEE

***715. Shri L. N. Mishra:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether there is any proposal to re-organise the Indian Central Jute Committee of India; and

(b) if so, the lines on which it is to be re-organised?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) No.

(b) Does not arise.

Shri L. N. Mishra: May I know the amount that Government give to this body and whether the accounts are audited?

Shri M. V. Krishnappa: We pay ten lakhs; they have come with a new demand for 15 lakhs in order to develop some researches in jute growing.

Shri L. N. Mishra: Is it a fact that there is some proposal to give special representation to jute growers?

Shri M. V. Krishnappa: The Government of India is considering the question of reviewing the rules and regulations of the Committee in order to give a larger representation to the jute growers in the various legislatures in the jute growing States.

Shri L. N. Mishra: Are Government aware that the Committee's monthly paper *Jute Bulletin* is merely the mouth piece of the Indian Jute Mills Association and does not cater for the interests of the growers?

Shri M. V. Krishnappa: It is a matter of opinion.

Mr. Speaker: Next question.

Shri Amjad Ali: May I know......

Mr. Speaker: I am going to the next question.

MODEL PUBLIC HEALTH ACT

***716. Shri Gidwani:** (a) Will the Minister of **Health** be pleased to state whether the Committee appointed by the Government of India to draft a Model Public Health Act has started its work?

(b) What are its terms of reference?

(c) When will the Committee submit its report?

The Deputy Minister of Health (Shrimati Chandrasekhar): (a) The Committee constituted to draft a Model Public Health Act has not yet started its work, since it has been set up only recently. It is hoped that the Committee will start work very shortly.

(b) A statement is placed on the Table of the House. [*See* Appendix IV, annexure No. 4.]

(c) The Committee has been asked to submit its report within a period of six months.

Shri K. K. Basu: May I know the composition of the Committee and whether it is a departmental committee or there are other experts?

The Minister of Health (Rajkumari Amrit Kaur): There are 5 Members in the Committee: Dr. B. C. Das Gupta........

Mr. Speaker: He does not want the names; he wants to know whether it is a departmental committee.

Rajkumari Amrit Kaur: No, Sir.

Mr. Speaker: Next question.

Shri K. K. Basu: One question, Sir.

Mr. Speaker: The Committee has not yet started functioning. Next question.

NEW POST OFFICES

***717. Pandit D. N. Tiwary:** Will the Minister of **Communications** be pleased to state:

(a) whether any computation is made of profit or loss in the new post offices opened in villages; and

(b) the amount of profit or loss incurred in 1951-52 and 1952-53 on such post offices?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes, the financial position of all the experimental post offices is reviewed every six months till they are made permanent.

(b) (i) In 1951-52 the loss on all the experimental Branch post offices was a little over Rs. 11,15,000;

(ii) in 1952-53 the loss on all experimental post offices was a little over Rs. 17,58,000.

Pandit D. N. Tiwary: Is the loss due to bad service?

Shri Raj Bahadur: No, Sir. It is on account of paucity of traffic in rural post offices.

Pandit D. N. Tiwary: Is it a fact that letters from these post offices are delivered after much delay, even more than what was before?

Shri Raj Bahadur: I do not claim any perfection in regularity or punctuality at all. But, these complaints do come and we are trying to eliminate them as best as we can.

श्री भक्त दर्शन : क्या मैं जान सकता हूं कि विभिन्न क्षेत्रों में से हर एक को कितनी हानि उठानी पड़ी है ?

श्री राज बहादुर : क्षेत्रवार तो मैं नहीं दे पाऊंगा, लेकिन कुल हानि मैं ने बता दी है ।

I am sorry. I can give the information, but that will take a long time.

Shri Bhagwat Jha: May I know, Sir, if the Government are aware that in the same village there are two or three post offices which are running, and therefore the loss?

Shri Raj Bahadur: There may be such cases, but I would be grateful to the hon. Member if he can bring them to my notice.

DELAY IN DELIVERY OF POSTAL ARTICLES

***718. Pandit D. N. Tiwary:** Will the Minister of **Communications** be pleased to state:

(a) the number of complaints regarding delayed delivery of letters, telegrams and packets, including newspaper packets, received from the State of Bihar in 1952;

(b) whether the attention of Government was drawn to the propaganda carried on by a section of the press (*Indian Nation*) about the loss of these articles in transit;

(c) whether any action was taken in the matter; and

(d) if so, the result thereof?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) 11,333 complaints were received in Bihar during 1952 regarding delay in delivery and loss of letters and packets including newspapers packets and delay in delivery of telegrams.

(b) Yes, but the propaganda related not merely to loss of articles.

(c) and (d). A statement regarding the complaints that appeared in the *Indian Nation* during 3 months from June to August 1953 showing the action taken in each case is placed on the Table of the House. [*See* Appendix IV, annexure No. 5.]

As regards newspapers, it was decided to carry out a thorough check of all newspapers at every stage of their transit through the post with the aid of the list of subscribers but the proposed check could not be carried out as most of the newspapers did not furnish the list.

Pandit D. N. Tiwary: Out of the eleven thousand and odd complaints that were received, how many were enquired into, and with what result?

Shri Raj Bahadur: All complaints that are received are invariably enquired into, but the question whether we can trace out the responsibility and fix it is a different one.

Pandit D. N. Tiwary: In how many cases has the responsibility been fixed?

Shri Raj Bahadur: I will not be able to give that specific figure.

Dr. Ram Subhag Singh: Is the hon. Minister in a position to give the number of complaints received during the years 1950 and 1951?

Shri Raj Bahadur: The number of complaints received during 1951 was 12,478.

Pandit D. N. Tiwary: May I know, Sir, if newspapers sent to rural areas are either delivered very late or not delivered?

Shri Raj Bahadur: I do not subscribe to that charge in that broad manner, but there might be certain cases of newspapers not being delivered.

Pandit D. N. Tiwary: Is it a fact.............

Mr. Speaker: Next question.

Shri Alagesan: May I answer Questions Nos. 719 and 720 together? They refer to the same subject?

Shri Nanadas: I want them to be answered separately.

Mr. Speaker: He wants them to be answered separately.

Shri Alagesan: I have no objection. I thought it would be more convenient.

RAILWAY SERVICE COMMISSION, BOMBAY

*719. **Shri Nanadas:** Will the Minister of **Railways** be pleased to state:

(a) whether the Railway Service Commission, Bombay, held any competitive test for the recruitment of clerks in December, 1952;

(b) if so, how many candidates belonging to the scheduled castes sat for that examination; and

(c) how many have been finally selected for appointment?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, Sir.

(b) 434.

(c) 263.

Shri Nanadas: May I know the number of posts reserved for Scheduled Castes at the examination?

Shri Alagesan: Reservation is as per the Home Ministry's order on the subject: 12½ per cent. of the vacancies to be filled by direct recruitment and 16 2/3 per cent. otherwise.

Shri Nanadas: I want to know the number of posts reserved at that examination.

Shri Alagesan: I have no figure as to that, but I can give the result of that examination. The number of Scheduled Caste candidates who applied was 526; those who were asked to come for interview—483; those who actually attended—434; and those selected by the Commission—263.

Shri Nanadas: May I know, Sir, the difficulties in getting the prescribed number of candidates for the posts from the Scheduled Castes, and what steps do Government propose to take to remedy those difficulties?

Shri Alagesan: As I said, it has been reserved as per the percentages given. When in a particular year we do not get the required number of candidates, this is carried over to the next year also and it is added to the reservation, and then they are filled. Because there was not a sufficient number of Scheduled Caste candidates forthcoming, a special Employment Notice was issued and only Scheduled Castes' applications were invited to this, and the result of such procedure was very encouraging. And this year also they have repeated it.

Shri Ganpati Ram: May I know whether it is a fact that a new Secretary has been appointed in the Bombay Railway Service Commission? If so, what is his name and qualification?

Mr. Speaker: I think it is going too much into details.

Shri Barman: Was there any representation to the hon. Minister to include in any of the Railway Service Commissions any Scheduled Caste and Backward Class Member, and if so, what is the decision?

Shri Alagesan: I may say for the information of the hon. Member and the House that a Scheduled Caste gentleman has been appointed as a Member of the Railway Service Commission at Calcutta, and another gentleman belonging to the Backward Classes has been appointed to the Railway Service Commission at Madras.

Shri Bhagwat Jha: May I know......

Mr. Speaker: We will go to the next question.

SCHEDULED CASTE REPRESENTATION IN RAILWAY SERVICES

*720. **Shri Nanadas:** Will the Minister of **Railways** be pleased to refer to his speech made in the House on the 27th February, 1953 and state the steps taken since then to increase the representation of the scheduled castes in the Railway Services?

The Deputy Minister of Railways and Transport (Shri Alagesan): The Railways have continued to follow all the orders issued by the Ministry of Home Affairs in respect of Scheduled Castes and Tribes in the services. The orders issued by the Home Ministry during the last year are set out in that Ministry's Report for 1952-53 and in the Report of the Commissioner for Scheduled Castes and Scheduled Tribes for 1952 copies of which are in the Library of the House. The Railway Ministry have also taken certain special steps to increase the representation of Scheduled Castes in the Railway Services. The Railway Service Commissions who conduct recruitment to the non-gazetted categories have been directed to take as many Scheduled Castes candidates as possible. Posts reserved for Scheduled Castes but not filled were re-advertised and only Scheduled Caste candidates were called for interview. This has produced encouraging results.

Shri Nanadas: May I know, Sir, the results that flowed from these steps during the last year?

Shri Alagesan: Yes, Sir. I said all that in reply to supplementaries to the previous question.

Shri Nanadas: The Minister said that he has taken some special steps to give representation to the Scheduled Castes. I wanted to know the results that flowed from the special steps taken by the Ministry?

Shri Alagesan: I gave the figure just now.

Mr. Speaker: He wants to know the figure.

Shri Alagesan: I gave it.

Shri Muniswamy: May I know, Sir, whether, in making these appointments, any consideration is shown to the sons of Railway employees?

Shri Alagesan: It has been answered previously also on the floor of the House. The Constitution makes it impossible for any consideration being shown to sons of Railway employees.

Shri Raghavaiah: Will the Minister please let me know whether, as between Scheduled Castes candidates and others, there is any difference in the percentage of marks that is expected to be got?

Shri Alagesan: No separate standards are being laid down.

Shri Ganpati Ram *rose*—

Mr. Speaker: Next question.

AUTOMATISATION OF CALCUTTA EXCHANGE

*721. **Shri B. K. Das:** Will the Minister of **Communications** be pleased to state:

(a) what reduction in the staff in the telephone system of Calcutta has been effected on account of its automatisation; and

(b) how many of them have been provided with alternative employment?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) There has been no reduction in the permanent or temporary staff in the Calcutta Telephone System. However 287 daily-rated mazdoors and 35 wiremen employed on miscellaneous short-term pieces of work have been discharged on the completion of the work for which they were engaged.

(b) 60 daily-rated mazdoors have been re-employed.

Shri B. K. Das: May I know the nature of the employment they have obtained?

Shri Raj Bahadur: The same as that on which they were employed previously.

Shri T. B. Vittal Rao: May I know. Sir, if it is a fact that the clerical staff and monthly-rated staff have been discharged?

Shri Raj Bahadur: I refer the hon. Member to the answer that I have given to the question.

Shri T. B. Vittal Rao: Your answer.........

Mr. Speaker: He should not speak to the Minister.

Shri T. B. Vittal Rao: His answer was that some daily-rated people have been discharged. but clerical staff working in that branch have also been discharged.

Shri Raj Bahadur: I may repeat for the Member's advantage that so far as the regular staff is concerned, whether permanent or temporary, there has been no reduction whatsoever, but during the installation of the automatic equipment in stage one some people were employed as part-time workers on specified miscellaneous pieces of work. As soon as that work was finished, those people have been discharged because they were no longer required.

WAGON SHORTAGE

*722. **Shri Bhagwat Jha:** (a) Will the Minister of **Railways** be pleased to state whether it is a fact that since September 1953, the shortage of wagons has increased?

(b) Is it a fact that the Jute Mills at Kanpur were closed down because they could not get proper transit facilities?

(c) Is it also a fact that thousands of maunds of jute purchased in Bihar and Assam could not reach Kanpur due to wagon shortage?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) No. There has been a progressive improvement in loading since October, 1953.

(b) No. It was not the lack of proper transport facilities for jute for these Jute Mills but the failure on their part to register in time sufficient number of indents for wagons at the despatching stations which resulted in less movement of jute to them than would have been the case otherwise.

(c) No. During the months of August, September, and up to 10-10-1953, as many as 129 wagons had been loaded with jute from stations in Katihar Railway District. and 98 wagons from stations in Alipur Duar for Kanpur and there were outstanding registrations for 102 wagons on Katihar District and 5 wagons only on the Alipur Duar District on 10-10-1953. All these outstanding registrations had been made on or after 3-10-1953.

श्री भागवत झा : अभी मंत्री महोदय ने बताया कि वैगन्स की कमी नहीं है, वैगन्स की सप्लाई बढ़ गई है, क्या मैं यह जान सकता हूं कि वैगन्स की कमी न रहने के बावजूद वैगन्स के लिये एप्लाई करने वाले लोगों को समय पर वगन्स क्यों नहीं मिलते हैं ?

श्री शाहनवाज खां : जहां तक वैगन्स के सप्लाई का सवाल है, जो जो लोग सही टाईम पर एप्लाई करते हैं उनको वैगन्स मिल जाते हैं। कटिहार के बारे में चीज़ यह है कि वहां पर बहुत सारे जूट के वैगन्स लोड किये जाते हैं, जे० के० मिल्स के अलावा और बहुत सी फ़र्म्स हैं वह भी इन्डट करती हैं, जो पहले इन्डेंट करता है, उसको पहले वैगन्स मिलते हैं।

श्री भागवत झा : क्या यह बात सत्य नहीं है कि माननीय मंत्री को बहुत से लोगों ने वैगन्स के लिये दरख्वास्तें दीं, दरख्वास्त देने के बावजूद वैगन्स उस समय मिले जब कि माल न उठ पाने के कारण उनको काफ़ी क्षति पहुंच चुकी थी ?

रेल तथा यातायात मंत्री (श्री एल० बी० शास्त्री): मैंने पहले भी शायद हाउस में कहा है कि वैगन्स की सप्लाई जब पीक सीजन होता है जैसे कि अगले दिसम्बर, जनवरी और फरवरी के महीने जब कि गन्ने वगैरह की ट्रैफिक काफी बढ़ जाती है तब वैगन्स के मिलने में दिक्कत पड़ती है, लेकिन पिछले तीन, चार महीने के अन्दर जिस ज़माने में जे० के० मिल्स ने इस बारे में शिकायत की है, उस ज़माने में वैगन्स की दिक्कत नहीं थी।

Pandit D. N. Tiwary: Is it a fact that transport from South Bihar to North Bihar is hampered due to non-availability of wagons at Mokameh Ghat and Banaras?

Shri L. B. Shastri: It is not due to the non-availability of wagons, but to the limited line capacity, there being no bridge at Mokameh Ghat.

श्री गिडवानी : ऐसी कोई शिकायतें आपको मिली हैं कि जो रुपया देते हैं, उनको जल्दी मिल जाते हैं।

Mr. Speaker: Order, order.

AMENITIES TO RAILWAY PASSENGERS

*723. **Shri Bhagwat Jha:** (a) Will the Minister of **Railways** be pleased to state how many new third class compartments with fans and improved lighting have been put on the track?

(b) Is it a fact that fans from some inter class bogies have been removed?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) 9925 III class compartments have been fitted with fans, and 10219 III class compartments with improved lighting.

(b) Reports received from Railways indicate that on some new Metre Gauge coaches the number of fans was reduced from 4 to 2 in each Inter class compartment temporarily as the electrical load arising from fans and lights was in excess of generating capacity in the coaches forming those rakes.

श्री भागवत झा : क्या मैं यह जान सकता हूं कि बाकी तृतीय श्रेणी के डिब्बों में इम्प्रूव्ड लाइटिंग और बिजली के पंखों का प्रबन्ध कब तक हो जायेगा और इस सम्बन्ध में आपकी क्या योजना है ?

श्री शाहनवाज खां : बहुत जल्द।

श्री भागवत झा : क्या मैं जान सकता हूं कि आपकी बहुत जल्द की परिभाषा क्या है ?

रेल तथा यातायात मंत्री (श्री एल० बी० शास्त्री) : बात यह है कि क़रीब डेढ़ हज़ार कोचेज में नये फैन लगाने हैं और मेरा ख्याल यह है कि यह सब काम पूरा होने होते क़रीब तीन या चार वर्ष लगेंगे ।

Shri S. V. Ramaswamy: Are Government aware that in England, third class passengers are provided with sleeping accommodation at extra cost, and do Government contemplate the provision of similar amenities here?

Mr. Speaker: I am afraid that this does not fall within the scope of this question.

Shri S. V. Ramaswamy: The question refers to amenities to third class passengers.

Mr. Speaker: No, it refers to fans and improved lighting facilities, and not the general question of amenities to third class passengers.

दार्जलिंग-सिल्लीगुड़ी रेल

*७२४. **श्री रघुनाथ सिंह :** क्या रेल मंत्री यह बताने की कृपा करेंगे :

(क) क्या यह सच है कि पूर्वोत्तर रेलवे की दार्जलिंग-सिल्लीगुड़ी शाखा घाटे पर चल रही है ;

(ख) क्या यह सच है कि रेलवे रेट से स्पर्धी दरों पर अत्यधिक बसें तथा ट्रकें चलने से यह घाटा हो रहा है ;

(ग) इस स्पर्धा को मिटाने तथा रेल को व्यावसायिक ढंग पर चलाने के लिये कौन सी योजनायें विचाराधीन हैं ; और

(घ) क्या सस्ते दरों पर रिटर्न टिकिट जारी करने का विचार है ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) Yes.

(c) (i) On representations made by the North-Eastern Railway, the temporary road permits which were issued during the landslide and flood in 1950 when train services were suspended between Kurseong and Darjeeling have been discontinued by the West Bengal Government. The West Bengal Government have also agreed to stop the issue of further road permits.

(ii) A fast parcel express train has been introduced between Darjeeling and Siliguri from 22-9-1953 for clearing perishable traffic.

(iii) Reduced rates for vegetables and fruits from certain stations on this section have been introduced with effect from 1-10-1953.

(d) No.

Shri Raghunath Singh: What was the amount of loss last year?

Shri Alagesan: I cannot give the quantum of loss offhand.

Pandit D. N. Tiwary: Are Government aware that these losses are due to the fact that the passengers do not avail themselves of the opportunities, due to the unsuitable timings of the trains?

Shri Alagesan: We are not aware of any such factor.

Shri Bhagwat Jha: Is it the policy of Government to avoid competition between the railways and the buses, where the two are running on the same route, side by side?

Shri Alagesan: Yes, Sir. We want to regulate both the road and rail transport services, with a view to co-ordinate them. That is our policy.

HUTTI GOLD MINES

*752. **Shri J. B. Vittal Rao:** Will the Minister of **Labour** be pleased to state whether it is a fact that no ambulance has been provided at Hutti by the Hyderabad Gold Mines Company as required under the Mines Act, 1952?

(b) What steps have been taken by Government in the matter?

(c) Are adequate arrangements made at the Gold Mines Hospital for the treatment of injured workers?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). Under the Mines Act, 1952, provision of ambulances at mines, etc. are matters left to be prescribed by Rules. The Rules are under preparation. It is proposed to provide in the Rules that it shall be the duty of the owner, agent or manager of a mine to make such suitable arrangements as will provide for the speedy removal of serious cases of accidents or sickness from mines to hospitals. At the Hutti gold mines, there is a fairly well-equipped hospital where a stretcher on bicycle wheels is kept in addition to ordinary hand-stretchers.

(c) Yes.

Shri T. B. Vittal Rao: Under Section 21 of the Mines Act, is it not obligatory on the part of the mine owners to have an ambulance at Hutti?

Shri Abid Ali: The Act has to be followed by the rules of procedure, which will have about a thousand clauses, and which, as I have said earlier, are under preparation. After the rules are framed, that particular Section will become operative.

Shri T. B. Vittal Rao: May I know when the framing of the rules is likely to be concluded? The Mines Act was enforced in that part of the territory, in July 1952, *i.e.* nearly 20 months ago.

Shri Abid Ali: In this particular mine, there will not be anything further to be done, because the hospital is within 600 ft. of the nearest shaft, and within 700 yards from the farthest shaft. Therefore, no difficulty arises in regard to this particular place.

With regard to the period when these rules will come into operation, I have already submitted that they are under preparation, and about a thousand clauses are to be drafted.

Shri T. B. Vittal Rao: Are Government aware that there is no X-Ray apparatus in the hospital at the mines?

Shri Abid Ali: An X-Ray apparatus has been sanctioned, and quotations have already been called for.

HYDERABAD GOLD MINES

***726. Shri T. B. Vittal Rao:** Will the Minister of **Labour** be pleased to state the reasons for the strike by the workers of the Hyderabad Gold Mines on the 25th August, 1953?

The Deputy Minister of Labour (Shri Abid Ali): According to a notice served by the Hyderabad Gold Mines Labour Union on the management, the reasons for the token strike were:

(1) reinstatement of all victimised and re-employed workers;

(2) recognition of the Union;

(3) method of recruitment of fresh labour; and

(4) alleged unlawful and unreasonable charges framed against the workers.

Shri T. B. Vittal Rao: When the strike notice was served on the management on the 17th August 1953, why were not conciliation proceedings started by the Conciliation Officer?

Shri Abid Ali: The Conciliation Officer received the intimation on 22nd August, 1953, and at that particular time, he was out of the station.

Dr. Ram Subhag Singh: May I know whether during the course of the strike, there was resort to violence from either side? The hon. Minister just stated that some charges of unlawful assemblage or something like that were made against some persons.

Shri Abid Ali: Yes. There was too much of violence. As a matter of fact, there was very little of trade union matter in this particular affair. There was more of politics and exploitation of the workers by interested parties. There was stone-throwing on the police, and filth was thrown on the workers. Some of them were beaten, and they were admitted in the hospital. Reinforcements had to be called for, to strengthen the local police to maintain peace.

Mr. Speaker: The Question-hour is over.

CORRECTION IN THE ANSWER TO STARRED QUESTION NO. 711 DATED 8-12-53

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): Sir, I wish to make a correction to a statement I made. While replying to a supplementary put by Mr. L. N. Mishra, thinking that he was asking whether we were short of jute goods, I said that we were surplus in jute goods. Later on I came to know that he was talking about jute—whether we were short of jute. I do not want any suspicion to be created about such a fundamental thing. We are short of jute, and regarding the percentage, I am prepared to give him the figure later on.

WRITTEN ANSWERS TO QUESTIONS

मछली पकड़ने की नावें

***७२८. श्री रघुनाथ सिंह :** क्या **खाद्य तथा कृषि** मंत्री यह बताने की कृपा करेंगे :

(क) क्या मछली पकड़ने की नई प्रकार की नौकाओं की व्यवस्था की जा रही है क्योंकि भारतीय नौकायें मोटर से चलाने के लिये अनुपयुक्त साबित हुई हैं ; और

(ख) क्या उन्हें भारत में बनाने का विचार है?

The Minister of Food and Agriculture (Shri Kidwai): (a) and (b). Indigenous fishing boats are being mechanised and will be tried. In case they are not successful, boats more suitable for mechanization will be tried and if these are found successful their manufacture in India will be considered.

BONGAIGAON RAILWAY STATION

***729. Shri Amjad Ali:** Will the Minister of **Railways** be pleased to state whether it is under the contemplation of Government to remodel the Bongaigaon railway station yard and also to provide certain **passenger** amenities?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): Yes, Sir. The work is included in the Works Programme, 1954-55.

RAILWAY LINE FROM SAMBALPUR TO KANTABANJI

***730. Shri R. N. S. Deo:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that a new Railway Line from Sambalpur to Kantabanji was considered to be essential in connection with the Hirakud Dam Project;

(b) the reasons which led to the preference in favour of the Sambalpur-Titilagarh railway line; and

(c) when the construction on the line is expected to start?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) This line is required more for the development of the areas to be served by the Hirakud multi-purpose project and was not necessary for the construction of the Hirakud Dam itself.

(b) This line was considered desirable to move surplus food and other products *via* the Raipur-Vizianagram line to Waltair and on to the South

It would also shorten the lead considerably for traffic moving from Bihar and North Orissa to Vizagapatam Port and the South.

(c) The matter is under consideration.

RAILWAY PORTERS AT ASANSOL

***731. Shri Ramananda Das:** (a) Will the Minister of **Railways** be pleased to state whether the facts of exploitation of labourers by the Railway Contractor at Asansol station have been brought to the notice of Government by the Secretary of the Eastern Railways Porters' Congress?

(b) If so, what steps have been taken or are proposed to be taken to redress the grievances of the Licensed Porters?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) Yes.

(b) In this connection the Labour Inspector of the Central Government has submitted a report which is under examination by the Eastern Railway, and necessary action will be taken in the light of this examination.

RICE

***732. Shri P. Ramaswamy:** (a) Will the Minister of **Food and Agriculture** be pleased to state whether any survey has been made of the current crop in the various surplus States?

(b) If so, what are the prospects for the next rice crop?

(c) Have Government received reports of the fall in rice prices in West Bengal, Madhya Pradesh, Madras and Andhra?

(d) If so, what is the extent of the fall?

The Minister of Food and Agriculture (Shri Kidwai): (a) and (b). Sample surveys for estimating production of rice are being carried out in the main rice producing States (except Orissa) but the results of such surveys will not be available before February or March, 1954. The present indications, however, are that the rice crop this year will be much better than last year.

(c) and (d). Yes, there has been a fall in the prices of rice during the last three months, the extent of fall ranging roughly between Re. 1/- to Rs. 4/- per maund in the four States.

PRICES OF RICE

***733. Shri P. Ramaswamy:** (a) Will the Minister of **Food and Agriculture** be pleased to state whether Government anticipate any substantial fall in the rice prices in India, in view of satisfactory monsoon?

(b) What measures do Government propose to take in the event of the prices falling to ensure an economic price to the producers?

(c) Have Government any proposal to buy rice from the next crop and build up a Central reserve for emergency?

The Minister of Food and Agriculture (Shri Kidwai): (a) Yes, there has been a substantial drop in the prices of rice in certain areas during the last few months and it is anticipated that this falling tendency in the prices will persist during the next few months of the harvest season.

(b) Government are watching the situation very carefully. In case it is found that the prices in any area fall below the economic level, suitable measures will be taken to give necessary support to the price level so as to ensure reasonable prices for the producers.

(c) The internal surplus of rice this year is expected to be sufficient to meet the requirements of the deficit States, but it may not be possible to purchase any substantial quantity of rice internally to build up a Central Reserve.

NEW CIVIL AIR PORT IN DELHI

***734. Shrimati Tarkeshwari Sinha:** Will the Minister of **Communications** be pleased to state:

(a) whether the Civil Aviation Directorate recently undertook an investigation with a view to select a site for a separate civil airport in Delhi; and

(b) if so, what are their recommendations?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Government have under examination the question whether the flying and other connected activities at Palam air port should be confined exclusively either to the Indian Air Force or to Civil Aviation. Incidental to this examination, the Indian Air Force, the Civil Aviation Department and the Central Public Works Department have made preliminary investigation of possible sites for an air-port in Delhi, as an alternative to Palam.

(b) The report of the investigation discusses the *pros* and *cons* of each possible site. No specific recommendations have been made. The matter continues to be under study.

ACCIDENTS ON EASTERN RAILWAY

***735. Sardar A. S. Saigal:** (a) Will the Minister of **Railways** be pleased to state whether on the Eastern Railway narrow gauge, there were six accidents within one and a half months from the 15th September to the 30th October 1953, on Nainpur, Paindri, Lamta Charegaon Gondigajshapur and Chindwara Nagpur lines?

(b) What action are Government taking in the matter?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Six accidents occurred between 13th September and 23rd October 1953, as shown in the statement laid on the Table of the House. [*See* Appendix IV, annexure No. 6.]

(b) Apart from the general measures taken *viz.*, effective disciplinary action against the Railway staff held responsible for the accidents, systematic examination of the working of stations, tightening up of supervision and control, frequent and intensive inspections of permanent way, rolling-stock etc., specific action has already been taken in one of the six cases under reference and no action is indicated in another of breakage of a part of a wagon. Suitable action will be taken in respect of the remaining four on finalisation of the investigations into them.

AIR LIFTING OF ORANGES FROM ASSAM

***736. Shri Heda:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether there is any proposal for airlifting of oranges from Assam to Calcutta; and

(b) whether the scheme will be subsidised by Government?

The Minister of Food and Agriculture (Shri Kidwai): (a) Yes.

(b) No.

MISSION HOSPITAL IN MANIPUR

***737. Shri Rishang Keishing:** Will the Minister of **Health** be pleased to state:

(a) whether it is a fact that the Baptist Council of Manipur asked the Government of Manipur for the land opposite the D. M. College in order to build (i) a well-equipped mission hospital with thirty beds and (ii) quarters for medical staff;

(b) whether it is a fact that Government of Manipur has rejected the request of the Baptist Council of Manipur; and

(c) if so, the reasons therefor?

The Minister of Health (Rajkumari Amrit Kaur): (a) and (b). Yes.

(c) As the land asked for by the Baptist Council of Manipur is within the 4th Bn. Assam Rifles Cantonment at Imphal over which the Manipur Administration have no jurisdiction, it was not possible for that Administration to comply with the Mission's request.

PRODUCTION AND EXPORT OF MAIZE

*738. **Shri Rishang Keishing:**
Shri L. J. Singh:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) the yearly production and export of maize from Manipur from 1950 to 1953;

(b) the quantity of maize produced and exported from Manipur in 1953-54;

(c) the reasons for imposing restriction on the export of maize from Manipur; and

(d) the time by which the restriction will be lifted?

The Minister of Food and Agriculture (Shri Kidwai): (a) and (b). No precise information is available regarding production and export of maize from Manipur prior to 1953. During 1953, Manipur produced about 65,000 maunds of maize out of which 8,000 maunds were exported upto middle of November and about 30,000 maunds were still available with the trade.

(c) and (d). Export of maize from one State to another is allowed only against allocations made by the Centre. In the case of Manipur, however, the Government of India have since allowed the export of the 30,000 maunds maize through private trade.

लखनऊ में उपद्रव

*७३९. **श्री एन० एम० लिंगम :**
श्री रघुनाथ सिंह :
श्री राम सुभग सिंह :
सेठ अचल सिंह :

क्या **संचरण** मंत्री यह बताने की कृपा करेंगे :

(क) लखनऊ में विद्यार्थियों तथा अन्य व्यक्तियों द्वारा किये गये उपद्रव में कितनी राशि की टेलीग्राफ और टेलीफोन सामग्री को क्षति पहुंची ; और

(ख) डाकखानों को अनुमानतः कितनी हानि हुई ?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) About Rs. 45,500/- out of which Rs. 38,000/- approximately relates to Lucknow town.

(b) Loss of cash etc. was Rs. 1569-10-7, out of which Rs. 757-11-5 relates to Post Offices in Lucknow Town. This excludes the damage done to private buildings in which Post Offices were housed and to furniture and records.

POSTS AND TELEGRAPHS BOARD

*740. **Shri Muniswamy:** Will the Minister of **Communications** be pleased to state:

(a) whether there is a Posts and Telegraphs Board; and

(b) what is the nature of the Board and what are its functions?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes.

(b) A statement giving the information asked for is laid on the Table of the House. [*See* Appendix IV, annexure No. 7.]

CAPITATION GRANTS

*741. **Shri Brohmo-Choudhury:** Will the Minister of **Railways** be pleased to state:

(a) the amount granted as Capitation Grants to the Railway Schools during the period from 1949 to 1953;

(b) the basis and the rate of such grants; and

(c) the reasons for reduction in the rate of such grants in recent years?

The Deputy Minister of Railways and Transport (Shri Alagesan): A statement is laid on the Table of the House. [*See* Appendix IV, annexure No. 8.]

MINOR PORTS

*742. **Shri C. Bhatt:** Will the Minister of **Transport** be pleased to state whether there is any proposal to give loans to maritime States for the development of the more important minor ports?

The Deputy Minister of Railways and Transport (Shri Alagesan): Yes.

RAILWAY AMENITIES COMMITTEE

*743. **Shri K. P. Tripathi:** (a) Will the Minister of **Railways** be pleased to state whether the Amenities Committee which recently toured Assam has submitted its report?

(b) If so, what are its main recommendations?

(c) What steps, if any, have been decided upon in the light of the recommendations?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) and (c). The Report of the Committee is under detailed examination by the Railway Board in consultation with the North Eastern Railway and suitable action will be taken in the light of the results of this examination.

MONKEYS

*744 **Shri Kirolikar:** (a) Will the Minister of **Food and Agriculture** be pleased to state whether Government have agreed to a Scheme for the killing of monkeys on a reward basis in PEPSU for 1953-54?

(b) If so, what amount has been sanctioned?

The Minister of Food and Agriculture (Shri Kidwai): (a) Yes, Sir.

(b) Rs. 8,500.

NEW TELEGRAPH OFFICES

*745. **Shri Sinhasan Singh:** Will the Minister of **Communications** be pleased to state:

(a) the number of places where telegraph offices were proposed to be opened in 1952-53 and have not so far been opened; and

(b) the reasons for the same and the time by which these facilities would be extended?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). No target according to the number of places had been fixed. It may, however, be stated that 185 offices were opened during 1952-53, including some sanctioned in earlier years. Most of the offices already sanctioned would be opened within this year.

LABOUR APPELLATE TRIBUNAL, CALCUTTA

*746. **Th. Jugal Kishore Sinha:** Will the Minister of **Labour** be pleased to state:

(a) whether the Labour Appellate Tribunal, Calcutta has been holding its sittings in various States under its jurisdiction, from time to time; and

(b) if so, the dates of its sittings in different States from January 1952 up-to-date?

The Deputy Minister of Labour (Shri Abid Ali): (a) Ordinarily the Benches of the Tribunal sit at Bombay, Calcutta, Lucknow and Madras and occasionally at other centres for the convenience of the parties. Under the Industrial Disputes (Appellate Tribunal) Act, 1950, the Chairman of the Labour Appellate Tribunal has the power to decide where the Benches should sit for hearing appeals.

(b) Information has been called for and will be placed on the Table of the House.

LABOUR APPELLATE TRIBUNAL

*747. **Th. Jugal Kishore Sinha:** Will the Minister of **Labour** be pleased to state:

(a) whether it is a fact that the Labour Appellate Tribunal has fixed up Patna for the hearing of the appeal of sugar industry, concerning the bonus of 1949-50 and 1950-51 crushing season involving a sum to the extent of about Rs. 50 lakhs, to which all the sugar factories and all their workmen numbering about 30,000 are parties;

(b) whether it is a fact that the Tribunal had asked the Bihar Government to make an alternative arrangement for its sitting if any court-room of the High Court was not available and the latter had accordingly made arrangements; and

(c) if so, the reasons for changing the sittings of the Tribunal from Patna to Calcutta?

The Deputy Minister of Labour (Shri Abid Ali): (a) In connection with a request to secure reservation of accommodation in the High Court Buildings at Patna the Tribunal informed Government that it proposed to hold sittings at Patna from the middle of November, 1953.

(b) and (c). The Tribunal has been requested to furnish this information.

IMPORTED WHEAT

***748. Shri N. M. Lingam:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the quantity of imported wheat lying unsold in India at present and its value;

(b) the period of storage of these stocks;

(c) the rate of off-take of wheat at present; and

(d) what steps Government propose to take to accelerate disposal of the stocks?

The Minister of Food and Agriculture (Shri Kidwai): (a) The unallotted stocks with the Government of India on 1st December, 1953 amounted to about 540 thousand tons valued at about Rs. 22·79 crores.

(b) The bulk of the stocks was received in the central depots during the months May to November, 1953, though some quantities also pertain to earlier months.

(c) About 150 thousand tons per month.

(d) The question of accelerated disposal arises only in the case of that part of the stock which cannot stand much longer storage, but the bulk of the stocks is meant to cover requirements of the next few months and to operate as a reserve.

RAW JUTE

***749. Pandit C. N. Malviya:** Will the Minister of **Food and Agriculture** be pleased to state what steps Government propose to take to implement the recommendations made by the Expert Committee on quality of Jute?

The Minister of Food and Agriculture (Shri Kidwai): A statement indicating the steps proposed to be taken to implement the recommendations made by the Expert Committee on Quality of Jute is laid on the Table of the House. [*See* Appendix IV, annexure No. 9.]

RAILWAY TIME TABLE

***750. Shri S. C. Deb:** Will the Minister of **Railways** be pleased to state whether the authorities have received some complaints regarding such major changes in the time table of October, 1953 of some of the railway lines of Assam Zone of the N.E. Railway and whether the authorities propose to consider the removal of any genuine grievances by revising the time table in question?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): Yes, Sir. The revision of timings of train services on the Pandu Region will be considered for the April, 1954 Time-Table for which proposals are being examined.

SALE OF QUININE THROUGH POST OFFICES

***751. Shri K. C. Sodhia:** (a) Will the Minister of **Health** be pleased to state whether the practice of selling quinine through village post offices for the benefit of poor people in villages has been discontinued and if so, since how long?

(b) What reasons is this due to?

(c) Are there adequate arrangements in the villages to get medicines for malaria?

(d) If not, will Government consider re-starting the old practice?

The Minister of Health (Rajkumari Amrit Kaur): (a) to (d). Information has been called for from the State Governments. A statement containing the information will be laid on the Table of the House after replies have been received from all State Governments.

'FLOOD BONUS' IN ANDHRA

*752. **Shri J. B. Vittal Rao:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that Coconada-Bitragunta passenger train was detained at Rajahmundry for sixty minutes on the night of the 15th November, 1953 owing to a lightning strike by the staff there;

(b) the total number of workers involved in the strike;

(c) whether it is a fact that the staff have been demanding that Government should treat the three months salary advanced to rehabilitate themselves consequent upon the losses suffered on account of floods as "flood bonus"; and

(d) if so, what action has been taken by Government on their representation?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, the train which was booked to arrive at 7-35 and leave 8-00 actually arrived at 8-27 and left at 9-30.

(b) Information so far available shows that 267 workers representing the Loco and Medical Departments were involved in the strike. Figures relating to the number of staff of other departments involved in the strike are not yet available.

(c) Government understand that a resolution was passed on 21st September, 1953 by a Committee calling itself the Flood Victims Committee of Railwaymen, Rajahmundry, demanding that the three months advance of pay sanctioned by the Railway Board should be treated as free bonus.

(d) Government are unable to accede to the request.

RURAL POST OFFICES IN SAUR

*753. **Shri Jethalal Joshi:** (a) Will the Minister of **Communications** be pleased to state how many new rural post offices have been opened in Saurashtra from January to June, 1953?

(b) How many persons have been recruited for these post offices?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Nil. However, there are no villages with a population of 2,000 and above in Saurashtra which remain without a post office.

(b) Does not arise.

RURAL POST OFFICES

*755. **Shri Telkikar:** Will the Minister of **Communications** be pleased to state how many new post offices will have to be opened to implement the policy of opening post offices in villages with a population of two thousand or above?

The Deputy Minister of Communications (Shri Raj Bahadur): About 10,000 additional post offices will be opened by 31st March, 1956.

PRODUCTION OF CASHEW NUTS

324. **Shri V. P. Nayar:** (a) Will the Minister of **Food and Agriculture** be pleased to state whether Government have taken any steps to make India self-sufficient in the production of raw cashew nuts?

(b) If so, what are the broad details of such schemes?

(c) What is the estimated yield of a cashew tree in a year at present?

The Minister of Food and Agriculture (Shri Kidwai): (a) The Indian Council of Agricultural Research has already sanctioned three research schemes for Travancore-Cochin, Madras and Bombay for improving the yield and quality for the Indian cashewnut crop. The State Governments concerned are however directly responsible for any development work that may be necessary for increasing the local production of cashewnuts.

(b) The main object of these research schemes is to improve the yield of cashewnut and to extend the cultivation of the crop. These researches will include such items as

(i) survey of the existing plantations;

(ii) selection of promising types;

(iii) testing of selected varieties;

(iv) standardisation of propagation methods;

(v) study of factors influencing flowering, bearing and fruit setting; and

(vi) the study of relationship between soil and the nutrients and the soil moisture on flowering and fruit setting.

(c) The average yield of raw cashewnut in the main producing areas is 20 lbs. per tree per year.

CONSUMPTION OF EGGS

325. Shri V. P. Nayar: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the total quantity or number of eggs available for human consumption in India (Statewise), in the years 1950, 1951, 1952 and 1953;

(b) the *per capita* average actual consumption of eggs in India during the same period;

(c) what, if any, has been the increase or decrease in the *per capita* actual consumption of eggs in the 1st, 2nd and 3rd years of the Five Year Plan; and

(d) the present estimate of the average quantity of eggs which will be consumed by an Indian as at the end of the **Five Year Plan**?

The Minister of Food and Agriculture (Shri Kidwai): (a) The required data are not available. However, a statement showing the production of fowl and duck eggs on the basis of the 1945 Livestock Census is laid on the Table of the House. [*See* Appendix IV, annexure No. 10.]

(b) to (d). The required data are not available.

CONSUMPTION OF MEAT

326. Shri V. P. Nayar: (a) Will the Minister of **Food and Agriculture** be pleased to state the total quantity of meat estimated to be available for human consumption in India in the years 1950 to 1953 (with break-up of figures for mutton, beef, pork and chicken)?

(b) What is the average actual quantity of meat consumed by an Indian in these years?

(c) What, if any, has been the actual increase in the *per capita* actual consumption of meat in the 1st, 2nd and 3rd years of the Five Year Plan?

(d) What at present is the estimated quantity which will be available per head for consumption at the end of the **Five Year Plan?**

The Minister of Food and Agriculture (Shri Kidwai): (a) Estimates of the total quantity of meat are available only for the year 1949-50 and are as follows:—

('000 tons)

Meat	Year	Quantity available
Mutton	1949-50	112
Beef	"	96
Pork	"	24
Poultry	"	47
Goat	"	156
Buffalo	"	74
TOTAL Meat		509

(b) The required data are not available. However, annual *per capita* consumption of meat in India is estimated to be 3·2 lbs.

(c) and (d). The required data are not available.

DEVELOPMENT OF FISHERIES

327. **Shri V. P. Nayar:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the Fisheries Department of the Government of India is collecting Hydro-biological and other data necessary for developing fisheries, from off the coast of Bombay and Saurashtra; and

(b) whether Government will lay on the Table of the House a statement of the work so far done in the collection of these data?

The Minister of Food and Agriculture (Shri Kidwai): (a) Yes.

(b) A resume of the work done on collection of the Hydro-biological and other data from off the coast of Bombay and Saurashtra is placed on the Table of the House. [*See* Appendix IV, annexure No. 11.]

COST OF RAILWAY SIDING

328. **Dr. Amin:** Will the Minister of **Railways** be pleased to state the actual cost of Railway Siding for placement of Engine per hour for Broad Gauge, Metre Gauge and Narrow Gauge in the years 1950 and 1953 giving reasons for the increase in Railway Siding charges during the course of three years?

The Deputy Minister of Railways and Transport (Shri Alagesan): The cost per shunting engine hour varies according to the type of Engine used, fuel consumed and other factors. It is not the same everywhere and at all times. The siding charges are revised having regard to the current operating costs.

RAILWAY CRANES

329. **Dr. Amin:** Will the Minister of **Railways** be pleased to state the actual cost of Railway cranes worked by machine and by hand and their maintenance charges along with the crane charges collected from the users per hour during the last three years?

The Deputy Minister of Railways and Transport (Shri Alagesan): There is a large number of cranes of various types at present in use on Indian Railways, and their cost varies according to their capacity and age. The approximate present day cost of a 20 Ton B.G. Steam Crane is Rs. 2,57,000 and a 20 Ton B.G. Hand Operated Crane Rs. 75,000. Their approximate maintenance charges are Rs. 46 and 15 per day respectively. The hire charges are not uniform and range from Re. 1 per hour with a minimum charge of Rs. 5 to Rs. 30 per hour depending upon the capacity of the Cranes and whether or not they are power or hand driven.

The hire charges in the case of 20 Ton Steam Crane and 20 Ton Hand Crane are Rs. 9 per hour and Rs. 3/4/- per hour respectively subject to a minimum charge for 4 hours.

The user is also required to pay haulage charge for the Crane from its headquarters to the site where it is required at the scheduled haulage rates.

UNEMPLOYED WOMEN IN TRIPURA

330. **Shri Dasaratha Deb:** Will the Minister of **Labour** be pleased to state:

(a) whether it is a fact that a deputation on behalf of the *Ganatantric Nari Samity*, Agartala met the Advisers to the Government of Tripura and made some suggestions for providing work to the unemployed women in Tripura; and

(b) if so, what steps Government propose to take in the matter?

The Deputy Minister of Labour (Shri Abid Ali): (a) The Government have no information.

(b) Does not arise.

LADY HARDINGE COLLEGE

331. **Shri V. P. Nayar:** Will the Minister of **Health** be pleased to refer to Notification No. F.4-3(1)/53-MI, dated

12th June, 1953 and state the amount of grant given by Government to the Lady Hardinge Medical College and Hospital, Delhi; subsequent to taking it over under the Charitable Endowment Act up to 15th November, 1953?

The Minister of Health (Rajkumari Amrit Kaur): Rs. 6,12,000 only.

GOODS TRANSPORTATION FROM ASSAM

333. Shri K. P. Tripathi: (a) Will the Minister of **Railways** be pleased to state what is the goods carrying capacity of (i) the Assam Link and (ii) the Steamer Companies which ply steamers from Calcutta to Assam?

(b) What are the requirements of Assam for transporting goods both ways?

(c) Is there any gap between the carrying capacity and the requirements and if so, what?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) (i) 165 Metre Gauge wagons each way per day.

(ii) 2,000 tons (equivalent to about 200 M.G. wagon loads) each way per day.

(b) An average of about 200 M.G. wagons each way per day and 240 M.G. wagons per day during the peak period.

(c) There is no gap between the requirements and the total carrying capacity of the all-rail and the rail-*cum*-river routes.

रेल लाइनें

३३४. श्री अनिरुद्ध सिह : क्या रेल मंत्री यह बताने की कृपा करेंगे कि १५ अगस्त, १९४७ से १५ अगस्त १९५२ तक कितनी नई रेलवे लाइनें बनाई गई हैं ?

The Deputy Minister of Railways and Transport (Shri Alagesan): The mileage of new Indian Railway lines laid from 15th August 1947 to 15th August 1952 is 399 (miles). The details are as below:—

Section of Railway	Total mileage opened from 15th August 1947 to 15th August 1952.
1. Rupar-Nangal.	34·37
2. Mavli Jn.-Badasadri	51·20
3. Bhimsen-Bharwa Sumerpur	43·05
4. Hadgaon-Adilabad	76·31
5. Assam Rail Link	76·24
6. Sanganer Town-Diggi	37·49
7. Sahinsara-Malia	14·66
8. Kanalus-Gop Extension	21·38
9. Arantangi-Karaikudi	16·35
10. Mukerian-Pathankot	26·97
TOTAL	398·02

RAILWAY TRAINING SCHOOL, UDAIPUR

335. Shri Balwant Sinha Mehta: (a) Will the Minister of **Railways** be pleased to state the number of trainees at the Railway Training School, Udaipur, on the Western Railway?

(b) What number is expected when there will be a permanent regular school there?

(c) How much money do Government spend on each trainee there?

(d) What is the duration of course for studies?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The number of trainees varies at present from 250 to 300. The number on 1st November, 1953 is 266.

(b) 700.

(c) The expenditure on each trainee depends on the category to which he belongs and the running expenditure of the school. The average at present is about Rs. 150 p.m.

(d) The duration of the course of training varies with each category as given below:—

Traffic Signaller-*cum*-Asstt. Station Masters.	8½ months.
Telegraph Signallers	5½ months.
Coaching Clerks	2½ months.

Goods Clerks	2½ months.
Train Clerks	1½ months.
Ticket Collectors	1 month.
Apprentice Asstt. Permanent Way Inspectors.	5 months in the 1st year and 4 months in the 3rd year.
Apprentice Asstt. Inspectors of Works.	2 months.

SUGAR

337. **Shri Anirudha Sinha:** (a) Will the Minister of **Food and Agriculture** be pleased to state the quantity of sugar purchased on Government account from abroad during the year ending 31st October, 1953?

(b) What was the quantity of sugar produced in India allowed to be exported during the same period and if so, to what country or countries?

(c) What quantity of sugar purchased abroad has actually arrived in India?

The Minister of Food and Agriculture (Shri Kidwai): (a) 2,04,000 tons.

(b) 6,316 tons to Japan and Persian Gulf Sheikhdoms.

(c) 95,000 tons upto 30th November, 1953.

APPORTIONMENT OF RAILWAY TRAFFIC EARNINGS

338. **Shri V. Missir:** Will the Minister of **Railways** be pleased to state the system Government propose to introduce for the apportionment of traffic earnings and preparation of accounts connected therewith on the Indian Government Railways with effect from 1st April, 1954?

The Deputy Minister of Railways and Transport (Shri Alagesan): It has been decided to introduce apportionment of earnings with effect from 1st April, 1954 to determine the earnings attributable to each zone. The process of apportionment is proposed to be simplified by not segregating certain miscellaneous charges levied, in addition to freight, in the case of Goods and Parcels traffic. Some simplification in the apportionment of passenger earnings will be achieved by improving the system of preparation of returns by the stations to the Accounts Office. Apportioned earnings will be compiled by each zone by taking into account its share as worked out and shown in the statements exchanged between the Receiving and the Forwarding Railways.

RICE

339. **Shri D. C. Sharma:** Will the Minister of **Food and Agriculture** be pleased to state the acreage of land under rice cultivation in the year 1953?

The Minister of Food and Agriculture (Shri Kidwai): 67·5 millions acres according to the All-India First Estimate of Rice, 1953-54, which covers only the early sowings.

PRIVATE RAILWAY LINES IN BIHAR

340. **Shri K. P. Sinha:** Will the Minister of **Railways** be pleased to state the total mileage covered by private Railway lines and the company that is running them in the State of Bihar?

The Deputy Minister of Railways and Transport (Shri Alagesan): The total mileage is 149·25 miles and the Companies running these railways in the State of Bihar are:—

The Company or the agency working the Railway	Railway
Arrah-Sasaram Light Railway Company.	Arrah-Sasaram Light Railway (65·16 miles)
Distt. Board of Patna.	Bukhtiarpur Bihar Light Railway. (33·60 miles)
Dehri Rohtas Light Railway Company.	Dehri Rohtas Light Railway. (24·09 miles.)
Futwah Islampur Light Railway Company.	Futwah Islampur Light Railway. (27·00 miles)

FORGED RAILWAY TICKETS

341. Shri S. C. Samanta: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that some forged ticket forms were seized in Bombay recently;

(b) if so, the number of persons, if any, who were arrested;

(c) the action taken against them; and

(d) the materials seized?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, Sir.

(b) One person has so far been arrested.

(c) and (d). Police investigation is still in progress.

RAILWAY QUARTERS AT SONEPUR

342. Pandit D. N. Tiwary: Will the Minister of **Railways** be pleased to state:

(a) the number of unoccupied railway quarters at Sonepur Railway station;

(b) the reasons of their lying vacant; and

(c) the number of quarters constructed in 1950-51, 1951-52 and 1952-53 at Sonepur?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) 17 units, all of which are uninhabitable.

(b) The quarters were constructed to an essentially temporary standard in 1948, as an emergency measure, out of whatever building material was readily obtainable locally, to house India-opting staff, and are now uninhabitable due to normal deterioration.

(c)	1950-51 ...	44
	1951-52 ...	24
	1952-53	50

TRAINING OF OFFICERS IN UNITED KINGDOM

343. Ch. Raghubir Singh: (a) Will the Minister of **Transport** be pleased to state whether it is a fact that some officers in the Mercantile Marine Department, were sent to the United Kingdom for training under the Technical Co-operation Scheme of the Colombo Plan?

(b) Who were those officers?

(c) Have they finished their training period?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) and (c). A statement giving the information asked for is attached herewith. [*See* Appendix IV, annexure No. 12.]

DEVELOPMENT OF MARKETING SYSTEM

344. Th. Lakshman Singh Charak: (a) Will the Minister of **Food and Agriculture** be pleased to state what Resolutions were adopted in the Marketing and Inspection Conference held in New Delhi in October, 1953?

(b) Have all the recommendations of the Conference been agreed to by the Central Government?

(c) Will Government place a copy of the proceedings of the Conference on the Table of the House?

(d) What were the Resolutions adopted by the Agmark Ghee Conference?

(e) Is it a fact that new process of Ghee manufacturing has been started?

The Minister of Food and Agriculture (Shri Kidwai): (a) A copy of the resolutions is available in the Library of the House.

(b) The recommendations are under the consideration for consequential action.

(c) A copy of the proceedings is available in the Library of the House.

(d) A copy of the resolutions adopted by the Ghee Packers Conference is available in the Library of the House.

(e) No.

MINIMUM WAGES ACT

345. Shri Ramananda Das: Will the Minister of **Labour** be pleased to state whether it is a fact that the application of the Minimum Wages Act, 1948 has been extended to all categories of Contract Labour under Federal Railways?

The Deputy Minister of Labour (Shri Abid Ali): The Minimum Wages Act, 1948, has not been extended to cover all categories of contract labour under the Railways. In so far as the Railways are concerned, the Act applies only to employments on road construction, building operations, stone breaking and stone crushing. Contract labour in these employments is covered by the Act.

SHIFTING OF TECHNICAL AND DEVELOPMENT CIRCLES

346. Shri Gidwani: Will the Minister of **Communications** be pleased to state:

(a) whether the attention of Government has been drawn to a news item published in the *Indian Express*, Bombay Edition, dated the 26th October, 1953, on page 6, regarding shifting of Technical and Development Circle of Posts and Telegraphs Department of the Government of India from Jabalpur to New Delhi;

(b) whether Government propose to shift the same;

(c) whether the construction of the Tele-Communications Training Centre building at Jabalpur has been completed; and

(d) what is the estimated cost of the building?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) The Government have seen the news item referred to in the *Indian Express*, Bombay Edition, dated the 26th October, 1953.

(b) No.

(c) Not yet, the work is in progress.

(d) 20 lakhs approximately.

DERAILMENT OF GRAND TRUNK EXPRESS

347. **Sardar A. S. Saigal:**
Shri Birbal Singh:
Shri Raghunath Singh:
Shri Muniswamy:
Shri C. R. Iyyunni:

(a) Will the Minister of **Railways** be pleased to state whether it is a fact that on the 30th October, 1953, at about 8-50 A.M. some bogies of the Grand Trunk Express got derailed between Basin Bridge Junction and Korukkuppettai on the Southern Railway?

(b) How many passengers were injured?

(c) What was the actual loss suffered?

(d) What are the reasons for this derailment?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) At about 8-51 hours on 30th October, 1953 while No. 15 Grand Trunk Express was running through Basin Bridge Junction Station, the station next to Madras Central on the Madras-Bezwada Section of the Southern Railway, its coaches, 7th to 11th from the engine, derailed near the B Cabin of the station.

(b) One passenger sustained minor injuries.

(c) The approximate cost of damage to rolling stock and permanent way was Rs. 2,473.

(d) The provisional finding of the Government Inspector of Railways who held an enquiry into this accident is that the derailment was caused by spread of gauge of the track.

MANIPUR STATE TRANSPORT

348. **Shri Rishang Keishing:** Will the Minister of **Transport** be pleased to state:

(a) the annual income and expenditure of the Manipur State Transport for the years 1952 to 1954;

(b) the number of lorries and buses at present under the control of the Transport Authority; and

(c) the number of drivers and cleaners employed by the Transport Authority?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) to (c). A statement giving the required information is herewith attached. [*See* Appendix IV, annexure No. 13.]

GODOWNS

349. **Shri Bishwa Nath Roy:** Will the Minister of **Railways** be pleased to state whether Government propose to construct godowns on the North Eastern Railway in the next financial year at those stations which have factories near them but have no godowns?

The Deputy Minister of Railways and Transport (Shri Alagesan): There is no proposal to construct godowns at every station on the North Eastern Railway which has a factory near to it. Goods Shed arrangements already exist where they are considered necessary. Additions or alterations and improvements to such arrangements are proposed to be provided at about 25 stations, during the next five years.

POST AND TELEGRAPH OFFICES IN ANDHRA

350. **Shri Nanadas:** Will the Minister of **Communications** be pleased to state:

(a) the number of Post and Telegraph offices in Andhra State as (i) main offices, (ii) sub-offices, (iii) branch offices, (iv) experimental post offices, (v) combined Post and Telegraph offices, and (vi) telegraph offices; and

(b) the number and names of towns served by telephone system and the number of telephones operated in each town in Andhra State?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). A statement giving the information is placed on the Table of the House. [*See* Appendix IV, annexure No. 14.]

TELEGRAPH LINES IN ANDHRA

351. **Shri Nanadas:** Will the Minister of **Communications** be pleased to state the mileage of telegraph line in Andhra State?

The Deputy Minister of Communications (Shri Raj Bahadur):

	Owned by Department	Owned by other parties but maintained by the Department
	Miles	Miles
Lines . . .	6,449	..
Wires . . .	44,588	..
Cables	173	0·02
Cable Conductors . . .	8,658	1·82

SAVINGS BANK ACCOUNTS IN ANDHRA

352. **Shri Nanadas:** Will the Minister of **Communications** be pleased to state the number of Savings Bank accounts in Andhra as on the 30th September, 1953?

The Deputy Minister of Communications (Shri Raj Bahadur): The number of Savings Bank accounts standing at Post Offices in Andhra on the 30th September, 1953, was 1,83,385 approximately.

POSTAL STAFF IN ANDHRA

353. Shri Nanadas: Will the Minister of **Communications** be pleased to state the total staff employed (class-wise) under the control of his Ministry in Andhra State in Class I, Class II, Class III and Class IV Services?

The Deputy Minister of Communications (Shri Raj Bahadur): A statement giving the information required is laid on the Table of the House.

STATEMENT

S. No.	Name of the Department	Staff employed in Andhra State			
		Class I	Class II	Class III	Class IV
(1)	Posts and Telegraphs Department .	3	19	5093	1569
(2)	Civil Aviation Department	Nil	3	44	54
(3)	India Meteorological Department	Nil	Nil	20	10
	TOTAL .	3	22	5157	1633

INLAND WATER TRANSPORT

354. Dr. Ram Subhag Singh: Will the Minister of **Transport** be pleased to state:

(a) whether the Government of India have approached the United Nations for financial aid for a pilot project to develop Inland Water Transport in the upper Ganges; and

(b) if so, with what effect?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). Yes. The Government of India approached the United Nations for technical and financial aid for a pilot project to test the feasibility of using shallow draft tugs to tow barges on the Upper Ganga. The United Nations responded to the request for technical aid by deputing Mr. J. J. Surie, a naval architect who visited India in 1952. The question of obtaining financial aid is under consideration.

RAILWAY TRAINS, N. E. RAILWAY

355. Shri Brohmo-Choudhury: Will the Minister of **Railways** be pleased to state the total number of trains (including goods, passengers, mails) running in the Pandu Region of the North Eastern Railway Zone?

The Deputy Minister of Railways and Transport (Shri Alagesan): The total number of trains (which includes goods, mail, express, passenger and mixed) is 276.

RAILWAY SCHOOLS

356. Shri Brohmo-Choudhury: Will the Minister of **Railways** be pleased to state the number of fully managed Railway English Middle and High Schools, if any, in each Zone?

The Deputy Minister of Railways and Transport (Shri Alagesan): A statement is herewith attached.

STATEMENT

The number of English High and Middle Schools under the direct management of Indian Railways.

Railway	Middle Schools	High Schools
Central	5	1
Eastern	12	10
Northern	1	3
North-Eastern	1	3
Southern	6	2
Western	2	3
TOTAL	27	22

ASSAM RAIL LINK

357. Shri K. P. Tripathi: (a) Will the Minister of Railways be pleased to state how many breaches occurred during this year in the Assam Link and in the Assam part of the North Eastern Railway?

(b) What is the extent of damage or loss?

(c) Have all the breaches been repaired?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) There were no actual breaches of the track on the Assam Rail Link during this year but, due to damage to the protection works at a bridge between Hasimara and Madarihat, through train services were suspended at the site on two occasions as a precautionary measure and transhipment of passengers, luggage, perishables done while repairs were effected.

(b) and (c). Do not arise.

THROUGH-TRAIN FOR PALIZAGHAT RAILWAY STATION

358. Th. Jugal Kishore Sinha: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the passengers booked for Patna from places west of Chapra have to wait at Sonepore (N. E. Railway) Railway Station for about two hours before getting a connection for Patna;

(b) whether it is a fact that there is no through-train or carriage for passengers for Palizaghat Railway Station to places west of Chapra such as Siwan, Gorakhpur etc.; and

(c) if so, whether Government propose to do anything in the matter?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, except in the case of two trains which have immediate connections—after 10 minutes in one case and 45 minutes in the other case.

(b) There is no through train but there is one third class through coach service between Paleza Ghat and Savan.

(c) A representation was received for a through train between Paleza Ghat and Savan, but it is not feasible to introduce such a train at present due to paucity of coaches and locomotives.

OVER-BRIDGE AT GUNTUR RAILWAY STATION

359. Shri S. V. L. Narasimham: Will the Minister of Railways be pleased to state:

(a) whether the proposal to construct an over-bridge near the west cabin of Guntur Railway Station has been finalised; and

(b) if so, when the work will commence?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The lay out of the over-bridge and approach road has been finalised. Preparation of detailed plans etc. will be taken up as soon as the question of agency for design and execution of approaches, which is under reference with the Guntur Municipality, is decided.

(b) After the detailed plans and estimate are ready and the Municipality makes necessary provision for its portion of the work in its budget.

यात्रा गाड़ी

३६०. श्री रघुनाथ सिंह : (क) क्या रेल मंत्री यह बताने की कृपा करेंगे कि क्या यह सच है कि २० नवम्बर को कार्तिक पूर्णिमा पर्व के अवसर पर अजमेर और फुलेरा के बीच गत वर्षों के समान यात्रा गाड़ी चलाने तथा फुलेरा तक जाने वाली गाड़ियों को अजमेर तक बढ़ान का कोई प्रबन्ध नहीं किया गया ?

(ख) यदि हां, तो इस वर्ष पहले की तरह उक्त व्यवस्था क्यों नहीं की गई ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Arrangements were made for running a special train between Ajmer and Phulera and to extend 233 Up/234 Dn. trains between Phulera and Ajmer for the Pushkar Fair falling on 20th November, 1953; but as there was no demand, the special train was not run. 233 Up/234 Dn. were extended to run between Phulera and Ajmer on 19th and 20th November, 1953.

(b) Does not arise.

रेल की आय

३६१. श्री रघुनाथ सिंह : क्या रेल मंत्री यह बताने की कृपा करेंगे कि १९५२ में पुष्कर स्नानार्थियों से कितनी आय रेलवे को हुई थी ?

The Deputy Minister of Railways and Transport (Shri Alagesan): The approximate income from pilgrims to Pushkar during the month of November, 1952, when the Pushkar fair was held, was Rs. 72,850.

R. M. S. VANS

362. Shri Muniswamy: Will the Minister of **Communications** be pleased to state:

(a) whether it is a fact that the old postal vans in trains have not been reconstructed or modified to provide larger accommodation so as to keep pace with the increase in volume of work;

(b) whether Government are aware that the lighting facilities in vans have to be improved to a great extent and if so, whether Government are taking any steps in that direction; and

(c) whether there are facilities in the vans for the Railway Mail Service employees to take rest when they feel tired?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) No. Increase in the mail van accommodation is being sanctioned as and when found necessary. Such increase does not always necessitate the reconstruction or alteration to an existing van.

(b) Whenever lighting is found deficient, action is always taken to improve it.

(c) No. But this is proposed to be provided in the vans to be constructed in the future for use in Broad Gauge.

RURAL POST OFFICES

363. Shri K. C. Sodhia: Will the Minister of **Communications** be pleased to state how many villages with a population of 2,000 and above have been found in the central circle in which the loss of more than Rs. 750 per annum was likely and so no post offices could be opened there?

The Deputy Minister of Communications (Shri Raj Bahadur): Nil.

MEHSANA RAILWAY STATION

364. Shri Jethalal Joshi: Will the Minister of **Railways** be pleased to state:

(a) whether Government are aware that at Mehsana Junction which is on the main line between Ahmedabad and Delhi, the lighting facility on the platform is inadequate and passengers have to pass hours in condition verging on darkness; and

(b) if sc, what steps Government propose to take in the matter?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). A portion of the station building, which is being remodelled, is provided with electric lights and fans and the main passenger platform also has electric lights. The work of providing electric lights on the Island platform on a temporary basis, pending remodelling of the station, is in hand and is expected to be completed shortly.

BANARAS POSTAL DIVISION

365. Shri Ganpati Ram: Will the Minister of **Communications** be pleased to state:

(a) the number of appointments made for the post of (i) postal clerks, (ii) peons, (iii) sorters and (iv) postmen in Banaras Division in the years 1952 and 1953;

(b) the number of Scheduled Caste candidates appointed on each post;

(c) the reserved quota for the Scheduled Castes in each service; and

(d) how far the reservation rules were complied with?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) to (c). A statement containing the necessary information is laid on the Table of the House. [*See* Appendix IV, annexure No. 15.]

(d) The short in-take of Scheduled Caste candidates in 1952 and 1953 was due to non-availability of such candidates. Reserved vacancies if unfilled in a particular year are carried forward to the next year.

THE
PARLIAMENTARY DEBATES
(Part II—Proceedings other than Questions and Answers)
OFFICIAL REPORT

Acc. No....2522
Dated....25.11.2

HOUSE OF THE PEOPLE

Tuesday, 8th December, 1953

The House met at Half Past One of the Clock

[MR. SPEAKER *in the Chair*]

QUESTIONS AND ANSWERS

(See Part I)

2-32 P.M.

MESSAGE FROM THE COUNCIL OF STATES

Mr. Speaker: Secretary will now read a message from the Council of States.

Secretary: Sir, I have to report the following message received from the Secretary of the Council of States:

> "In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Council of States, I am directed to return herewith the Dhoties (Additional Excise Duty) Bill, 1953, which was passed by the House of the People at its sitting held on the 26th November 1953, and transmitted to the Council for its recommendations and to state that the Council has no recommendations to make to the House of the People in regard to the said Bill."

LEAVE OF ABSENCE

Mr. Speaker: I have to inform the hon. Members that I have received the following letter from Shri D. D. Pant:—

> "I am ill, and request the House to grant me permission to absent myself from the sittings of the House during the current session."

Is it the pleasure of the House that permission be granted to Shri D. D. Pant for remaining absent from all meetings of the House till the end of the present session?

Leave was granted.

PAPERS LAID ON THE TABLE

REPORTS *re* INTERNATIONAL LABOUR CONFERENCE

The Deputy Minister of Labour (Shri Abid Ali): I beg to lay on the Table a copy of each of the following papers:

(i) Report of the Indian Government Delegation to the thirty-fifth session of the International Labour Conference held at Geneva in June, 1952. [*Placed in Library*.. [*See* No. S-198/53.]

(ii) Conventions and Recommendations adopted at the thirty-fifth session of the International Labour Conference in June, 1952. [*Placed in Library. See* No.S-199/53.]

(iii) Statement indicating the action proposed to be taken by

[Shri Abid Ali]

> the Government of India on those Conventions and Recommendations. [*Placed in Library. See* No. S-200/53.]

RESERVE BANK OF INDIA (AMENDMENT AND MISCELLANEOUS PROVISIONS) BILL—*concld.*

Mr. Speaker: The House will now proceed with further consideration of the Bill further to amend the Reserve Bank of India Act, 1934 and to make special provisions in respect of certain high denomination bank notes.

Clause 3 was under consideration and there were certain amendments to that. Now, I am putting first the amendments to the vote of the House.

Clause 3.—(*Amendment of Section* 17) —*contd.*

The Deputy Minister of Finance (Shri A. C. Guha): There are two official amendments.

Mr. Speaker: Yes, I am putting them one by one. **The question is:**

In page 2, line 16, *after* "advances" *insert* "for agricultural purposes".

The motion was adopted.

Mr. Speaker: Then the amendment by Mr. N. B. Chowdhury. The question is:

In page 2, line 27, *for* **"five"** *substitute* "twenty-five".

The motion was negatived.

Mr. Speaker: Then Mr. V. B. Gandhi's amendment. The question **is:**

In page 2, line 27, *after* **"aggregate"** *add*—

> "and that it shall not be utilised for other than agricultural purposes".

The motion was negatived.

Mr. Speaker: The next amendment is by Mr. Guha.

The question **is:**

In page 2, *for* lines 31 to 39, *substitute*—

> "(a) repayable on demand or on the expiry of fixed periods not exceeding ninety days from the date of such loan or advance, against securities of the Central Government or of any State Government; or
>
> (b) repayable on the expiry of fixed periods not exceeding eighteen months from the date of such loan or advance, against securities of the Central Government of any maturity or against bonds and debentures issued by the said Corporation and guaranteed by the Central Government and maturing within a period not exceeding eighteen months from the date of such loan or advance:"

The motion was adopted.

Mr. Speaker: Mr. V. B. Gandhi's amendment. It is an amendment to the amendment. I should have put it first but Mr. Gandhi is not here. So I do not put it now.

Mr. Speaker: The question is:

"That clause 3, as amended, stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Clauses 4 and 5 were added to the Bill.

Clause 6.—(*Amendment of Section* 42)

Shri K. K. Basu (Diamond Harbour): I beg to move:

In page 3, line 7, *after* "other than" *insert* "with".

Sir, this amendment is of a very technical nature. I want to add the word 'with' in between 'other than' and 'the Imperial Bank of India', because I feel, Sir, that as it is drafted, it is not proper. Because the liabilities may be considered in a particular place, but it must be with a particular institution. So I think the word 'with' should be there. It is only a technical amendment.

Mr. Speaker: He means it is a verbal amendment.

Shri A. C. Guha: No, Sir. I do not know how he can propose this amendment. It does not carry any sense at all. The wording of the clause is: "the amount of its demand and time liabilities and the amount of its borrowings from banks in India" and then the words "other than the Imperial Bank of India" are to be added. I do not know how he can put 'with' before 'the Imperial Bank of India'. It won't carry any sense.

Mr. Speaker: Does the hon. Member press it?

Shri K. K. Basu: The amount of the demand and time liabilities may be in a particular place within India, but if you compare with an individual institution, it may not be that. That is why I am suggesting the addition of the word 'with'.

Shri A. C. Guha: If you kindly permit me, the intention of the Bill is this. Now, the scheduled banks have to submit a return showing all their liabilities with any bank. Any loan from the Imperial Bank will not be shown in that return.

Mr. Speaker: Does he press it?

Shri K. K. Basu: No. I do not press it.

Mr. Speaker: The question is:

"That clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

Clauses 7 and 8 were added to the Bill.

Clause 9.—(Ordinance III)

Mr. Speaker: I do not know whether Mr. Kasliwal wants to move his amendment to clause 9.

Shri Kasliwal (Kotah-Jhalawar): Not moving, Sir.

Mr. Speaker: The question is:

"That clause 9 stand part of the Bill."

The motion was adopted.

Clause 9 was added to the Bill.

Clause 1.—(Short Title)

Shri A. C. Guha: If you kindly permit me, I would like to make a change in the Short title. Instead of '1952' at the end of "The Reserve Bank of India (Amendment and Miscellaneous Provisions) Act," it may be made '1953'.

Mr. Speaker: Yes. I think the draftsman will do it without a formal amendment. But as he has put it, I will put it to the House.

Amendment made:

In page 1, line 3, *for* "1952" *substitute* "1953".

—[*Shri A. C. Guha*]

Mr. Speaker: The question is:

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

The Title and the Enacting Formula were added to the Bill.

Shri A. C. Guha: I beg to move:

"That the Bill, as amended, be passed."

Sir, I do not like to make any speech on this occasion. I only like to point out that most of the Members have received the Bill with good grace and I hope their expectation about rural credit will, to some extent, be fulfilled. It may not go as far as the House might have wished the Bill to go. I can very well appreciate their anxiety about furnishing rural credit.

[Shri A. C. Guha]

[MR. DEPUTY-SPEAKER *in the Chair.*]

I can only assure the Members that the Planning Commission has given first priority to agriculture and so the Government cannot be indifferent to the needs of agricultural credit, and we have been taking various measures to provide agricultural credit. This is one of the measures. Besides this, the Reserve Bank has already undertaken an all-India survey of rural credit. As soon as their report will be available, it may be that the Government and the Reserve Bank will formulate an over-all policy about rural credit, and I hope that the Bill, as amended, will now be passed by the House.

Mr. Deputy-Speaker: Motion moved:

"That the Bill, as amended, be passed."

Shri S. S. More (Sholapur): I must say specifically that Government's efforts to make necessary arrangements for giving rural credit as enacted in this particular Bill are sufficiently disheartening. May I say, Sir, that the Government, by this particular measure, seem to be not paying prompt attention to the directions of the Planning Commission itself. They have provided in this particular measure that the Reserve Bank shall make a provision of Rs. 5 crores for meeting the needs of medium term credit. Now, what are the requirements, that will be the first question, in the light of which we can consider this provision made by the Government. May I point out to you, Sir, that some previous Committees had directed their attention to these matters and had made specific recommendations. I may refer here to the report of the Grow More Food Enquiry Committee in which they assess that the total capital requirements of this country will be to the tune of Rs. 500 crores. They came to the conclusion, Sir, that most of our peasants are small peasants having no capital with them for the purpose of financing their needs with the result that agriculture is going down and we are suffering from more and more shortage of food. They took into consideration the survey made by the Reserve Bank of India and they came to the conclusion that the total medium term capital required was to the tune of Rs. 500 crores. I am not talking about long term credit; I am not talking about short term credit; I am talking about medium term credit for which this Bill is supposed to make a provision. The Reserve Bank itself have stated that the capital need for meeting such medium term requirements would be Rs. 500 crores. And, here is a Bill, Sir, in which a pitifully low amount—to repeat the expression used by my friend Shri Raghavachari—of Rs. 5 crores is being provided for this purpose. In this provision, Sir, the directions of the Planning Commission have been flouted. They have stated that Government must take the responsibility—and by Government they also meant the Reserve Bank of India—for supplying sufficient credit and at fair rates of interest. I may, with your permission, Sir, quote a short passage.

> "Agricultural production in this country depends upon millions of small farmers. It is the intensity of their effort and the efficiency of their technique that will help in raising yield per acre. Because of inadequate financial resources and absence of timely credit facilities at reasonable rates, many of the farmers, even though otherwise willing, are unable to go in for improved seeds and manures or to introduce better methods or techniques."

My submission, Sir, is that the Planning Commission, after a very thorough enquiry into this problem, came to the conclusion that this 5 crores, which even then the Reserve Bank was contemplating to allot for the purpose of meeting this medium term credit requirements, was not sufficient, and they opined in a very definite form that at least Rs. 25 crores per annum will have to be provided for.

Now, it was argued by the Minister, when he was piloting this Bill that

Government alone is not the only financing agency; there were private agencies, there were co-operative societies and there were other agencies to which he referred. Sir, as far as private agencies are concerned, formerly the landlords were the agencies which were giving them some capital. As we are progressively liquidating the landlords, and there are so many legislations giving protection to the tenants, the landlords have no longer any enduring interest in financing the needs of the tenants. Then, there are the private money-lenders. They are also going out of their avocation, because many States have passed controlling legislation. Therefore, with these private agencies knocked out of the field, Government and the co-operative societies, which are some sort of semi-government bodies, are only in the field and therefore my submission is, that the Government will have to take the responsibility, the urgent and categorical responsibility of financing the small farmers. If we do not finance them, if we do not supply them with the money with which they can purchase seeds and other manures, the result will be that fertility of the land will go down. The small farmer is in a way helping the Government itself. Supposing some small aid is given to the farmer for the purpose of purchasing manure, he will automatically go to the government depots where chemical fertilisers are sold or to depots where fertilisers are sold by government agencies. We have heard in reply to many questions on the floor of the House that the stocks of government fertiliser factories are accumulating, there is no sufficient demand for them because the purchasing power of the small farmer has gone down. If we inject some blood into the small farmers who are suffering from a sort of financial anæmia, they will be in a position to purchase the manures or fertilisers that are being manufactured in government factories or factories which are aided by government. But, unfortunately, this provision of 5 crores is not enough. I can say that as far as Bombay State is concerned, where the co-operative movement has expanded to a very large extent, even there the amount that is made available is not sufficient.

Sir, I will quote some figures from the report of the Bombay Grow More Food Policy Committee of 1951. In 1946-47 as much as 162 lakhs of rupees were advanced; in 1947-48, 223 lakhs; in 1949-50, 539 lakhs were advanced. And, yet, Sir, the Bombay peasants have been complaining that all these advances made by Government are not sufficient to meet even a fraction of their demands. It may possibly be argued by the Minister in charge that Governments have been supplying taccavi loans. But, as regards the supply of taccavi loans, I need not quote anybody's authority. The Planning Commission have admitted that there are so many complaints about the way in which these loans are provided. Whenever a person goes with an application to the tahsildar that he wants some aid for the purpose of digging a well, then the government officers reply, 'your financial position is rather satisfactory; therefore you do not stand in need of aid from government'. Whenever a poor man goes asking for some aid for the purchase of a pair of bullocks, he is informed, 'you have no credit and therefore no aid can be given to you'. I have got so many instances, but I do not want to take the time of the House. I believe that if the Plan is to be integrated, if the Plan is to be taken to completion according to schedule, then financing the small peasants becomes an integral part of the final plan. But, I am sorry to say, Sir, that Government themselves are sabotaging what has been told by the Planning Commission.

Mr. Deputy-Speaker: Let there be less noise and less talk inside the House.

Shri S. S. More: The talk is due to the fact that many Members are not interested in the fate of this small Bill, whereas we are much more interested.

Mr. Deputy-Speaker: No reflection can be cast by one Member on any other Member of the House.

Shri S. S. More: One may hold views different from what others hold and I am only giving expression to my views, Sir.

Mr. Deputy-Speaker: It is wrong to cast any reflection on any other Member.

Shri S. S. More: One may hold views which are different from the views held by others and that is no reflection, Sir. My submission is that this measure is a half-hearted one. It only carries out or implements half-heartedly the recommendations of the Planning Commission. There will be no private agencies as they will be knocked out of the field and the public agencies will not be sufficient to finance the small peasants and the peasants will suffer; the fertility will not be sufficiently achieved and the land will lose its fertility. The peasant is living in a half-starved condition and the result will be that our shortage of food, which is a chronic ailment with us, will go on all over the country because the Government is not trying to implement the promises which they have been profusely giving. The Planning Commission have stated that the total value of aid to the peasants will have to be to the tune of Rs. 25 crores per annum. As far as this measure is concerned, this particular clause is not sufficiently clear to me—I am referring to the proviso which reads—

> "Provided further that the amount of loans and advances granted by the Bank under this clause shall not at any time exceed five crores of rupees in the aggregate."

I do not know, Sir, what is meant by "at any time". Does it mean that the limit of Rs. 5 crores is the ceiling limit? Does it mean "at any particular year"? As far as I can understand, it does not add to any clarity and it does not enable us to have any clear interpretation of this particular clause so far as these words "at any time" are concerned. Therefore, my submission is that this measure is something, which is better than nothing, but it is not enough. The amendment which was moved by one of the Members that the limit of Rs. 5 crores should be raised to Rs. 25 crores was in complete accord with the recommendations of the Planning Commission, but unfortunately that amendment came from the Opposition side and therefore it appears to have been defeated. If Government were serious in implementing the recommendations of the Planning Commission—because the Planning Commission have very categorically stated that financing the small agriculturists is an integral part of our Plan—they must come out with larger and larger amounts of money in order to satisfy the needs of the starving peasants. With these words Sir, I offer my half-hearted support to this Bill.

Shri Joachim Alva (Kanara): This is an incomplete Bill. This Bill should not have come before the House in its present shape. As it is, it is only trying to propitiate the vicious propensities of the blackmarketeers who want to dangle Rs. 10,000 notes in their pockets. The Reserve Bank of India Act is sought to be amended in respect of high denomination notes, but the contents of the Bill, the Statement of Objects and Reasons state that it is for extending the facilities provided by the Bank to meet the needs of rural credit. This Bill has not given effect to the 128 recommendations or conclusions of the Rural Banking Enquiry Committee—a very important committee set up by Government to enquire into rural indebtedness and to suggest what facilities should be extended unto the rural areas. That Committee was presided over by a leading businessman, Shri Purshottamdas Thakurdas and one of its members was an *ex*-Cabinet Member Shri Bhaba. That Committee examined 227 witnesses and came to128 conclusions and I see that the hon. Minister has not given effect to more than five or half-a-dozen recommendations or conclusions of that Committee. Government must lay themselves open to any charge in connection with the working of the Reserve Bank Act. The Reserve Bank is the fulcrum of our national economy and it is the be all and end all of our economy and credit. If the working of the Reserve Bank goes to pieces, then the whole structure of our banking system goes to pieces. We have 15 exchange banks—everyone of them is a foreign bank—and they are established in Bombay, Calcutta and Madras and they operate from London, Amsterdam and New York. These Exchange Banks have all sought to muzzle the Indian business by not giving them enough credit. I see a grave danger in the fact that one of the branches of the Netherlands Bank that is being operated in India is going to close down its doors and give place to a British Bank which was wound up in Teheran. We have had enough of these foreign exchange banks in this country. Now, the Reserve Bank should not allow any other foreign bank, to come here. The Reserve Bank did perform a splendid piece of work when it banged the doors on the Portuguese National Bank and did not permit its nefarious activities through their various agents in India. Information has however now come that a British Bank from Teheran, which had to be closed after the British quit from that place, is trying to come back and take over the operations of the Netherlands Bank in Bombay and if the Minister were elastic enough to allow them to operate in India, there would be real danger to our banking activities.

3 P.M.

There are about 6,401 Rural Post Office Savings Banks, 1,000 urban co-operative banks and 83 scheduled banks or so-called commercial banks, with 3,000 branches in India. The Rural Banking Enquiry Committee was presided over by a very eminent man who hailed from the upper classes and who did not know much about the middle classes or the villagers. I dare say that this Reserve Bank (Amendment) Bill, which is intended to give safety and security to the rural man, does not help him in any way. It does not take into account the seven lakhs of villages that are in this land. The hon. Deputy Finance Minister proudly said yesterday that we have extended the operation of the Imperial Bank, but where are the branches established? Are they established in towns or in the big cities? Can the officers of the Bank go down into rural areas? I dare say that the present Governor of the Reserve Bank, who is a man of great authority and knowledge in this matter, hails from a place in Mangalore (South Canara Distt.) and, so far as I know, he has never visited the place of his birth for the last 50 years. If that is the case with the Governor of the Reserve Bank, how do you expect him to look after rural credit and economy? Sir, we have no right to be in the House unless we judge every question through the eye-glass of the poor villager. This Bill has not been devised for the use of the average man in the village and the Reserve Bank has failed in its duty to implement the recommendations of the Rural Banking Enquiry Committee, presided over, as I said, by a man representing the vested interests. Today, by this amending Bill we are trying to give power to the officers of the Bank. Every officer must take naturally the consequences of his actions. If a Minister does bad acts, he must resign. Unless our democratic state develops a system by which we are able to compel a Minister to resign if he commits a bad act, we shall not develop the spirit of democracy in India. Here the Reserve Bank takes so many powers and it presides over the fate of 83 scheduled banks and 15 exchange banks, and if the Reserve Bank just gives a sum of Rs. 5 crores for rural credit, how are the villages to progress in their activities? By doing so, the whole set up of land tenure in the future will be reversed. How is the Reserve Bank to tackle it? I regret the absence of the distinguished Finance Minister from this House. He should have been present in this

[Shri Joachim Alva]

House to give the benefit of his wisdom to the discussions in this House, and not permitted my distinguished friend and patriot, Mr. Guha to be here, on his behalf. I mean no disrespect to my friend Mr. Guha, but what I mean is that the Finance Minister himself should have been physically present in this House and taken charge of the Bill and given us the benefit of his experience. It was he who started the agricultural marketing branch of the Reserve Bank. He started the agricultural credit branch of the Reserve Bank, though it still remains, I regret, on the blue-book or only as a paper branch. All we have now is to spend Rs. 5 crores instead of say, 25 crores. What is it going to do for the seven lakhs villagers of our country? How is the poor villager to transport his goods under this scheme? For instance, you get the best fruits in Agra at hardly Rs. 5 a basket, while the same basket costs about Rs. 20/- or Rs. 30/- here. How is such an article going to be made available to people elsewhere without the full-fledged scheme of agricultural credit? The Banking Enquiry Committee specifically stated that the needs of the villagers in regard to transportation should be catered to. Unless their needs in respect of transportation of grains and fruits are met, our rural banking system is not going to prosper. Here we are right in the heart of Delhi. But the poor man cannot get his fruit while fruit is plentiful in nearby. How is it being transported and what facilities are going to be given by the Reserve Bank through the urban banks and co operative societies. I may point out that, in this connection; poultry is not included in the definition of the clauses in this Bill. In the amendment to Section 17, the expression "agricultural operations" does not include the word "poultry". It does not come in. By the words, "agricultural operations", crops, cream, butter and such other things are included. I want that the word "poultry" or poultry-farming—which is vital food for the villager and the townsman should also be included. Under poultry will come fowls, ducks and all such two legged creatures. You know that if, for one day, the townsman goes without his poultry and its products, he feels himself starved. So, I feel that item—poultry—should have been included in the explanation. The clause, as it embraces, at present, is not enough.

I now come to the most tender spot —the Imperial Bank. I find that the hon. Minister is very very sensitive about it. He said yesterday that in 1952, there were 11 Europeans, and 12 Indians and there were 101 Europeans in 1946 in the senior grade only. Now, it has been reduced to the glorious sum of 29 officers, who draw not less than perhaps Rs. 2,000 or Rs. 2,500 per month, as salary with free bungalows right on the top of the Bank! Now, we are doing away with the British Commander-in-Chief of our Air Forces at the end of this year. Thus we shall be having an Indian Commander-in Chief for the Air Forces shortly; though our Air Force is yet small and tender and we have not got the most powerful and speedy jet planes the other Powers possess. Still we are getting an Indian Commander-in-Chief to head our Air Force. Why then is number of European officers in the Imperial Bank not wiped off at all! Now, it is also my painful duty to point out that the present and the first Indian Managing Director of the Imperial Bank is no less than the brother-in-law of the Governor of the Reserve Bank of India. How is that? We must not allow nepotism to come into the field of our national banks. If we are going to Indianize the Imperial Bank, let us have Indians of character, ability and integrity. It is not in terms of the nearest relationship that such jobs are filled. Let them give the job to the best man, and if the nearest relations are people of character, patriotism; and ability, by all means instal them in office. But the Governor of the Reserve Bank of India shall not have his brother-in-law as the first managing director of the Imperial Bank! I may be wrong, but I want to be corrected by the hon. Minister on this most important fact.

Shri B. Das: It may be an accident of circumstances.

Shri Joachim Alva: But accidents are sometimes deliberate. Now, when the hon. Finance Minister returned from England, he promptly acceded to the demands of this House for the establishment of an Enquiry Committee as to how the Industrial Finance Corporation is functioning. Again, the Industrial Finance Corporation have advanced loans to the tune of lakhs and lakhs of rupees to industrialists, when the ordinary man with small business needs help urgently? Is it not impertinence and impudence to throw away the money on industries and big businessmen quite many of whom are not worthy of such loans? These very same individuals to whom these loans are advanced up to Rs. 30 lakhs or 50 lakhs will not countenance an advance of a three-figure. Loans to ordinary individuals on the ground that they do not deserve them. Such unscrupulous men should be put in jail who wish the poor and the deserving in need of loans, to be refused such assistance. Every citizen of India is entitled to uniform treatment and protection of the State. Therefore, if the Industrial Finance Corporation is to function in the manner in which it is functioning, and if our urban co-operative banks and co-operative societies are going to function on those lines, then there will be an end of our credit system. This process will finally affect our present banking structure. There will thus be no relief to the man in the countryside. If, as I said, the Finance Minister had been present, had been physically present, as I made a demand even yesterday,—I have no disrespect for Mr. Guha—it would have been well. What I say is, the affairs of the urban banks through the Reserve Bank and through the co-operative societies should reach down to the meanest man in the villages so that he may not be put to difficulties. Ignoring the case of the poorest individuals and giving lakhs and lakhs of rupees to the big undertakings of industrialists is scandalous. It will not stand any rational test. A few words more.

Mr. Deputy-Speaker: It is not a third reading speech.

Shri Joachim Alva: Everybody was given 30 minutes, and I want only five minutes more.

Mr. Deputy-Speaker: It is not every hon. Member that can catch the eye of the Chair, and take part in every debate. Therefore, if some hon. Members have had no opportunity of speaking during the second reading, they get an opportunity of speaking in the third reading. Anyway, one cannot make a 'second reading' speech in the third reading. You will have only a few minutes more.

Shri Joachim Alva: I will finish. In regard to section 24, of the Reserve Bank Act, that provision is being sought to be amended in the sense as if one were going to cater to the black-marketer. Now, the black-marketer will have opportunities to play with notes of Rs. 1,000, Rs. 5000 and Rs, 10,000. I may frankly say that I shall never have and be able to carry a note of Rs. 5,000 or Rs. 10,000, and these powers to make high denomination notes will give the black-marketer the freedom to deal wrongly with such high-denomination notes, and doors will thus be kept open to these black-marketers to extend their nefarious gains. I want to know what inconvenience is caused with the existing state of affairs by not having high denominational notes? Are the banks unable to carry on with their business without Rs. 5,000 notes? The banks today are full of the low denomination notes up to Rs. 100; it may be a. volume of work; they have to get through it. Anyway, I am, Sir, against the whole principle of the notes of the high denomination category, being now produced and put in the hands of the wrong people. Whatever inconvenience may be caused to the banks in

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their transactions to get through mountains of notes of smaller denomination, there is no justification to put notes of higher denomination in the hands of the black-marketeers. In Section 25, the Reserve Bank has the authority to look after the design, from and material of the notes, but what about the signature? I once said in this House that the notes should bear the signature of only one officer. There have been sometimes notes bearing the signature of the Secretary to the Finance Department of the Union Government. Other times appear bear the signature of the Governor of the Reserve Bank. This is altogether wrong and confusing. Let the public be familiar with the signature of only one officer, either the Secretary to the Finance Department or better still, the Governor of the Reserve Bank. Unless we have some sort of uniformity in this signature by having the signature of one officer only, so that the men in the countryside may be able to know who the officer is, who is responsible to the Government of India, in these matters, confusion may spring out of this business. Sir I have almost done. The Reserve Bank, in allowing people to come by the back door are not for people coming by the front door. The Reserve Bank asked for sufficient powers, and yet, it gave away Rs. 80 lakhs to the Exchange Bank of India and Africa. We cannot forget that episode. We have the instance of the Travancore National and Quilon Bank which paid fifteen out of sixteen annas when it was liquidated. Why was the Bank wound up? Because of the political pressure of the Dewan, who now graces the Indian Press Commission, I mean Shri C. P. Ramaswami Iyer. Why did he do so, when the Bank could pay fifteen out of sixteen annas? The Reserve Bank also had a share in the winding up of that banking firm. The point for us to bear in mind in the future is that the Reserve Bank shall not use any kind of political pressure or prejudice, or economic pressure or prejudice. The Travancore National and Quilon Bank, if alive would have been one of the big six leading banks of India. Its office-bearers had to suffer very much. One of the gentlemen is now an esteemed member of this House—Shri Matthen. He had to go to jail, because ex-Dewan Ramaswami Iyer did not like him and carried on a repression which was even condemned by Mahatma Gandhi. The Dewan allowed his political prejudices, in conjunction with the Maharani of Travancore so as to result in the closing of the doors of the bank, although the grateful public of that part of the country has performed its duty by electing the aggrieved managing director of that bank as a member of this House.

We have to be watchful and see that in future whenever the Reserve Bank's powers come up for examination before us they should be examined with the closest attention. We beg of the Reserve Bank that it should bear in mind its duties and obligations. It should function efficiently, without looking to this side or that side. It should serve every Government faithfully and should not act in a spirit of nepotism, corruption or criminal negligence.

I would have liked to oppose this Bill, but as a member of the Congress Party I cannot do so, but I feel that this Bill could have been postponed and brought forward in a more perfect form.

Mr. Deputy-Speaker: I might remind hon. Members about the scope of the debate during the third reading. They can only support or oppose the Bill **generally.**

Shri Bogawat (Ahmednagar South): Mr. Deputy-Speaker, I shall be very short. I humbly submit that this is not an adequate measure. So far as agriculturists are concerned, Government have an idea of their needs and requirements. For the good of the agricultural population, several enactments have been passed by the State Governments. For instance, the Bombay Government has passed the Tenancy Act, the Moneylenders Act, the Marketing Act and other Acts. The result is that whenever there is no provision for a particular thing, some evils come about. So many difficulties creep in and agricultural economy is affected. Agriculturists do not get money from the moneylenders, because they do not want to get into the clutches of the law. Another class of people has sprung up, charging interest at the rate of 36 per cent. to 150 per cent. per annum. Needy people have to borrow money, because they have no bullocks, no money to buy seeds etc. These people are exploited from day to day and they suffer. Not only that. Some lands are lying fallow, because the poor agriculturists cannot buy bullocks or the necessary implements. In this way, small scale industries like shoe-making, pottery, oil extraction etc. are also suffering because moneylenders do not help. The result is that people sell their houses for a nominal sum or take money by agreement of sale. In this context, the sum of Rs. 5 crores is not sufficient. There ought to have been a provision of at least Rs. 25 crores. That is the minimum that ought to have been allowed for helping the agriculturists. Agricultural Finance Corporations ought to be started. Otherwise, agriculturists would not be benefited and they would go down. In the rural areas, even though there is rain, agriculturists are not in a position to cultivate their lands properly because they do not get money in time. Some *taccavi* is given but there are a hundred difficulties. Out of several hundreds, some thirty or forty people get it and that too by going to the *cutchery* five or ten times and satisfying the circle inspector etc. Money lenders do not advance money now-a-days on the pledge of the land, because there is the Tenancy Act. There are thus many difficulties as far as the rural population is concerned, and it is such a big population. The number of agriculturists is very great and adequate provision ought to be made. For agriculture and small industries, at least Rs. 25 crores ought to be set apart by the Deputy Finance Minister.

Something was said about the Imperial Bank. No doubt, there are some more Indians in the Imperial Bank, but who are the shareholders who get the benefit of their shares? These things must be looked into and then the reply would have been proper.

Without saying more, I conclude with the remark that this is not an adequate provision. It is only a small beginning. Although I do not oppose the Bill, I think some adequate provision ought to be made in future measures.

Shri Sarangadhar Das (Dhenkanal—West Cuttack): Mr. Deputy-Speaker. I do not see anything in this Bill to sing the praise of the Finance Minister. I am glad nobody has sung his praise. There is only one point which I wish to dwell upon. I do not wish to go into the details of the requirements of the peasantry. They are numerous. But they need money and money has dried up after the abolition of the zamindari. Also, in various States Moneylenders Acts have been passed which require moneylenders to be registered. The interest has been brought down to 12½ per cent. or 9 per cent. So, in the countryside credit has practically dried up.

Governments, both here as well as in the States, want that we should be self-sufficient in everything and our standard of living should go up by 50 per cent. or 100 per cent. within the next few years. These are pious words which come out of the mouths of the members of the party that is ruling this country. If you want to be self-sufficient, you must act. A former Agriculture Minister, some years ago, went about the country telling people to grow more cotton and more jute and gave them inducements in the shape of good seeds,

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fertilizers and so on. Publicists were appointed and propaganda was carried on in the countryside. I can speak only of jute, not of cotton. In jute, the acreage went up immediately. Within two years the acreage went up by about 50 per cent. All kinds of land were planted with jute. People were enthusiastic when the Government carried on propaganda saying, "More jute should be grown because Pakistan has let us down. We do not get as much jute as we used to get during the first two years after partition." In this way, people were induced to grow more jute. But what happened? The price went down. Whatever the reason may be —the stoppage of the Korean war, or something in the world market, whatever it is—the price went down to such an extent that it was Rs. 10 to Rs. 12 below the cost of production. How could you expect the growers to sell it at Rs. 13 or Rs. 14 a maund? So, they carried it over to the next year in the expectation that the price would go up and they may profitably sell at a higher price. But even then nothing was done. I have been pleading in this House with the Ministers, through questions, that there must be price support. If you want the country to be self-sufficient, if you want the poor agriculturists to be enthused by your propaganda that they must grow more rice, more jute, more wheat, everything more, more and more if you want that, then you must give price support. May I, Sir, remind you.........

Mr. Deputy-Speaker: How does it arise under the Reserve Bank (Amendment) Bill?

Shri Sarangadhar Das: Yes, Sir, it does. For price support there must be money-credit.

Mr. Deputy-Speaker: For everything credit is necessary. I am afraid we are trying to enlarge the scope of the Bill.

Shri Sarangadhar Das: Without credit, how can you grow anything and store it for some time in expectation of a better market?

Mr. Deputy-Speaker: Then the hon. Member may talk on credit and not on price.

Shri Sarangadhar Das: I am not going into details—I am not just mentioning certain points. These things require hundreds of crores of rupees. The provision of Rs. 5 crores is only an eye-wash to lull the people to sleep that you are doing something. That is what the Congress Government is doing all the time. That is what you are doing all the time—trying to fool the people. Five crores will not do. Some hon. Member suggested Rs. 25 crores. I say even a hundred crores won't do.

My contention is that until and unless proper credit facilities are provided for, what is this Bill for? Five crores is nothing. The real object of this Bill......

Shri Mohiuddin (Hyderabad City): On a point of order: may I remind the hon. Member through you that five crores is provided for medium credit, not for short term credit, which is required for price support.

Shri Sarangadhar Das: I am not going into the question of medium, short term or long term credit. It is not necessary for my purpose. The real object of this Bill is to reintroduce Rs. 1,000, Rs. 5,000 and Rs. 10,000 notes and the provision of Rs. 5 crores for the development of agriculture or cottage or small scale industries is just incidental. It is in vogue now to talk about village industries and cottage industries, without doing anything.

Therefore, I oppose this Bill and oppose it very strongly.

Shri A. C. Guha: Mr. Deputy-Speaker, Sir, I think the points raised today were more or less the same as the ones raised yesterday. The Imperial Bank and the entire field of agricultural credit and the agricultural policy of the Government have again come up for discussion. I was surprised at Mr. Alva mentioning that everytime we bring the Imperial Bank through the back door and not through the front door. Some other hon. Members also mentioned yesterday that we are giving some more facilities to the Imperial Bank through this Bill.

Sir, the only reference to the Imperial Bank in this Bill is that the scheduled banks will get more money available with them for investment and that only has something to do with the Imperial Bank. No particular facility or privilege is being given to the Imperial Bank by this Bill. If the reference to the Imperial Bank in this Bill means anything it means that some more facilities are to be given to the scheduled banks. They will get some more money for investment in banking business.

Then, Sir, Mr. Alva was saying something about the Managing Director of the Imperial Bank. The Managing Director who was appointed very recently is an Imperial Bank man. His entire career has been in the Imperial Bank and till his appointment as Managing Director he was Deputy Managing Director of the Imperial Bank. The Governor of the Reserve Bank has nothing to do with his appointment. If somebody happens to be a relative of somebody else, we cannot help that. He was in the Imperial Bank long before the present Governor of the Reserve Bank became the Governor of the Bank.

Another hon. Member mentioned something about the shareholders of the Imperial Bank. I think he was not present in the House yesterday when I mentioned that the majority of the shareholders are now Indians. I do not like to venture any figure, but I may safely say that about 70% of the shareholders are now Indians, if not more.

Shri S. S. More: Will he be able to give the break-up of the volume?

Shri A. C. Guha: The majority of the shares are in Indian hands.

Dr. Lanka Sundaram (Visakhapatnam): What about the capital?

Shri A. C. Guha: Share means share capital.

Mr. Sarangadhar Das mentioned about the case of the jute growers and the price at which they are selling jute. I may say that in this House, I as a private member on more than one occasion have mentioned this matter and I have some direct knowledge about the jute-growers' plight.

An Hon. Member: You have forgotten it!

Shri A. C. Guha: I have not forgotten it. I can only remind Mr. Das that just now there is a Committee set up by Government enquiring into the price structure of raw jute. I can assure hon. Members that when Government asked the jute growers to grow more jute, they will also see that the jute-growers get fair price. I know that in many cases and very often jute-growers have not got fair price, but that does not mean that Government is not cognizant of the matter, or indifferent to this question. Just now an enquiry committee has been set up and is enquiring into this matter.

Then, Mr. More referred to the Grow More Food, the Planning Commission and all sorts of things. The Planning Commission has set a target of Rs. 25 crores for the Plan period for medium term loan.

Shri S. S. More: Per annum.

Shri A. C. Guha: For the Plan period, I am speaking subject to correction. Five crores cannot be equivalent to twenty-five crores—that much of mathematics I know. But my point is that this is not the only machinery, or only agency through

[Shri A. C. Guha]

which rural credit for agricultural purposes can be or is likely to be provided. I mentioned yesterday that the total amount available with the Reserve Bank for medium term and long term credit is Rs. 10 crores. Out of this share capital and reserve fund of Rs. 10 crores how can the Reserve Bank set aside Rs. 25 crores or Rs. 500 crores for medium or long term credit? That passes my mathematical intelligence.

I can of course appreciate the impatience of hon. Members for provision of more agricultural credit and I have every sympathy with them on this matter. The House will realise that the Planning Commission has given first priority to agriculture.

The other citicism that was voiced was about high denomination notes. I do not know how high denominational notes can be necessarily connected with black-marketing. There was a stage when there was some connection and the Government took effective steps. Out of Rs. 138 crores of high denomination notes, all excepting Rs. 1:25 crores have come back to the Government and have been cancelled. Even now we are not repealing the Ordinance which demonetised high denominational notes in 1946. Those notes which were circulated before the passing of this Bill will stand cancelled and be invalid. Only those high denominational notes which will be circulated after the passing of this Bill will be legal tender. So there should not be any anxiety in the minds of hon. Members about the notes which were demonetised in 1946. They stand cancelled. There should not be any doubt about that.

Shri N. B. Chowdhury (Ghatal): But innocent people may be duped by those old notes.

Shri A. C. Guha: It is not so easy. Innocent people won't take one thousand rupee notes; they will take one rupee, ten rupee or at most hundred rupee notes.

Another point about the Imperial Bank was mentioned yesterday. In the last two years the Imperial Bank has opened so many branches. Mr. Alva, after giving his wisdom to the House, has I find left.

Shri Joachim Alva: I am here.

Shri A. C. Guha: It was asked where the Imperial Bank has opened its branches. I can only say that it has opened branches according to the advice of the Reserve Bank and where proper banking facilities were not available. So the Imperial Bank has been used for the purpose of giving proper banking facilities to our people.

Shri Gadgil (Poona Central): They have opened one here also, on the first floor.

Shri A. C. Guha: Shri Alva mentioned something about poultry. He is so eager. I think it may be covered by animal husbandry. That is our interpretation of the term.

Sir, I think I have covered all the points made and I hope that the House will be pleased to pass the Bill

Shri S. S. More *rose*—

Mr. Deputy-Speaker: He has spoken already. I am not going to allow this. He had his chance. He has got a knack of standing after everything is over.

Shri S. S. More: On a point of order. Suppose the Minister in his reply makes certain mis-statements. Cannot an hon. Member who has spoken before him raise a point of order and bring that mis-statement to the notice of the House?

Mr. Deputy-Speaker: He will make another mis-statement and there will be another correction. Another mis-statement and another correction.

Where is the end? I do not think there is anything in this point of order.

The question is:

> "That the Bill, as amended, be passed."

The motion was adopted.

TRAVANCORE-COCHIN HIGH COURT (AMENDMENT) BILL

The Minister of Home Affairs and States (Dr Katju): I beg to move:

> "That the Bill further to amend the Travancore-Cochin High Court Act, 1125, as passed by the Council of States, be taken into consideration."

It is a short Bill and is intended to remove a slight inconvenience. The House would recollect that when Travancore and Cochin were integrated there was an arrangement that the executive capital of the integrated State should be at Trivandrum and the judicial capital, that is the seat of the High Court, should be at Ernakulam. I may mention here that both the States had High Courts of their own. As the House knows, Travancore is a much bigger State while Cochin is a smaller State. It has importance of its own because of the port which is now being built there.

Now, this understanding was carried out by statute, and the Act of which the present Bill is intended to be an amendment was passed in the year 1949. It declared that the High Court of Judicature of the United State of Travancore-Cochin shall be at Ernakulam.

I imagine that some of the Members not coming from that part of the country have visited that area. If you look at the map, it is rather a curious position. The width is small but the State runs from north to the south; south means right up to Cape Comorin, the southernmost tip of India. The whole of this United State comprises four districts. One of these districts is the old Cochin State with, I imagine, one taluk added to it from the Travancore State and the remaining three districts are parts of the old Travancore State. As you climb from the south, the first district is Trivandrum. Most of the district area lies to the south of Trivandrum, a small portion lies to the north of Trivandrum, and Trivandrum City itself is 175 miles from Ernakulam.

Shri A. M. Thomas (Ernakulam): No, 133 miles.

Shri C. R. Iyyunni (Trichur): 146 miles.

Kumari Annie Mascarene (Trivandrum): Opinions differ.

Dr. Katju: Very well, I stand corrected. 133 miles. I was misled by Nagercoil. That is 175 miles probably.

Shri A. M. Thomas: That is right.

Dr. Katju: Nagercoil is one of the important subdivisions of Trivandrum. So, going up from the south you come to Nagercoil, and then you come to Trivandrum, and then after some distance the Trivandrum district ceases. Then the next district northwards is Quilon. And from Quilon you go on to Kottayam. And from Kottayam you then come to Ernakulam.

After this Act was passed we thought that it had been passed after an agreement and would be accepted as such. But I can quite imagine that the people living in the extreme south thought it rather remarkable that for the purpose of getting pustice done in their High Court they should have to go beginning from Cape Comorin to Nagercoil and pass through Trivandrum and then go to Ernakulam. An agitation sprang up saying that there should be a bench or that there should be a bifurcation of the High Court. Anyhow, what was said was that the people of Trivandrum should have an opportunity of getting justice, so far as the High Court was concerned, nearer their homes.

[Dr. Katju]

Now, this matter was considered by the State Government and they came to the conclusion that in spite of the previous arrangement which should have been accepted by all parties in good faith, they would go a step in order to meet the wishes of those people and have a bench established in Trivandrum. They actually introduced a Bill. It was then pointed out that the subject matter of High Court was within the exclusive jurisdiction of the Parliament and therefore Parliament alone could intervene. The result was that I have to introduce this Bill. I introduced this Bill in the Council of States and it was passed there.

The net result of the Bill is simply this. The High Court consists of the Chief Justice and 7 Judges: I think that is the maximum strength. They all sit in Ernakulam. I imagine also that when in 1949 this Act was passed, the Judges went there—they have got a fine building— and the Members of the Bar also went there. This Bill authorises the Chief Justice to appoint Judges, not exceeding three in number, as the work of the court may require for what we call in the law courts a Single Judge court and for a Division Bench, Single Judge means one Judge hearing cases in the name of the High Court and a Division Bench means two Judges. If the work is not quite sufficient for the purpose, he may send two Judges. If there is work both for a Division Bench and a single Judge, he may send three Judges: just as the work in the court may require. But, specially, what is called a Full Bench, that is, a Bench consisting of three Judges should not meet at Trivandrum because it is desirable that the full Bench should meet at the seat of the High Court where the Bar is a strong Bar, where the litigants may have the benefit of having their cases argued and the court may have the benefit of having the case presented by the strongest Members of the Bar, and where the Judges may meet and decide the case.

The limit of the jurisdiction of this Division Bench is the southernmost district of Trivandrum which is the farthest in distance from Ernakulam. They will have their cases decided here. I do not know how it would suit the Members of the Bar. Some of them, I was told, all of them have permanently gone to Ernakulam and settled there comfortably. It is a delightful place to live in and they may have to come back. I may add here for the information of the House that the High Court is not quite happy over this business, because, they say that it may interfere with the dignity and status of the Bench. They want all the Judges to be in one place, to assemble there, because, the greater the number of Judges, the greater the status in the public eye, of the High Court concerned. But, of this arrangement, there have been recently various examples. For instance, in the Part B States to which Travancore-Cochin belongs, where similar questions have arisen about two different cities being grouped together, we have Madhya Bharat. The capital is Gwalior for 7 months and the seat of the High Court is at Indore. But, it has been decided that a Bench should sit in Gwalior also for the disposal of cases nearabout Gwalior. Similarly in Rajasthan, the seat of the executive Government is located at Jaipur and the High Court is located at Jodhpur. In the British days, the House may recollect that when Bihar and Orissa were separated from Bengal, the High Court was located at Patna, Having regard to the distance, it was arranged that four times in a year, two or three Judges should go on circuit to Cuttack and decide cases pending there. We have the same arrangement in Delhi whereby Judges come on circuit three or four times in the year to decide Delhi cases. Then, in the United Provinces, there were two courts: a Chief Court for Avadh and the Allahabad High Court for the province of Agra. After the advent of Independence, the two courts have been amalgamated. But, it has been decided that a Bench of the Allahabad High Court should continue to sit at Lucknow to decide the cases there. There are numerous precedents for this particular arrangement.

Notice of some amendments has been given. One is a notice for circulation for public opinion. I suggest respectfully that that is not a desirable practice to adopt. When we get a Bill which has been passed by the Council of States, and is transmitted to us for our concurrence, the Bill has been before the public automatically for months and months. This particular Bill was passed by the Council of States somewhere in March or April. Therefore, with due deference I may say that it would be ridiculous to suggest that public opinion has to be elicited.

Shri Punnoose (Alleppey): Was there a similar amendment in the Council of States?

Dr. Katju: That was rejected and the Bill was passed as it is. I was only meeting the point that asking for circulation for eliciting public opinion does not seem to be a very proper course to suggest.

Another amendment says, well, appoint a Select Committee. I have never heard of a Select Committee on a one-clause Bill in which there is only one point. There are some other amendments which are intended to widen the area or subject matter of the jurisdiction of the High Court. I have had recently the advantage of spending five days in Travancore-Cochin.

Shri Punnoose: Very busy days.

Dr. Katju: Please don't interrupt for God's sake. I have become familiar with the geography of this area. Leaving aside just one thing namely that Quilon, if that is the correct pronunciation, is 50 miles nearer to Trivandrum than it is from Ernakulam, the whole of the area, if you go by district courts and Munsiff courts, is nearer to Ernakulam than to Trivandrum. What is the distance? Fifty miles this way or that. Even that distance will be shortened when the Railway is built here and then there will be no difficulty whatsoever. Please remember, it is not a question of a district court or Munsiff court, namely of suits being instituted for small sums or there being an appeal to a district Judge or Sessions Judge. It is all appellate work intended for a High Court. Therefore, I say that this Bill as it stands, this one clause Bill, should meet with no opposition at all.

Shri Gidwani (Thana): Then, why do you want it? You have argued against this Bill.

Dr. Katju: I would therefore ask the hon. Members to let this Bill be passed as a soothing measure to the Travancore people. Let us engage ourselves with more important work here. I move that the Bill be taken into consideration.

Mr. Deputy-Speaker: Motion moved:

> "That the Bill further to amend the Travancore-Cochin High Court Act, 1125, as passed by the Council of States, be taken into consideration."

I have got notice of some amendments. Shri Matthen says that the Bill, as passed by the Council of States, be circulated for the purpose of eliciting public opinion thereon. I do not find any provision in the rules for a Bill as passed by the other House to be circulated. The only motion that can be moved is for a reference to a Select Committee. I would like to know how this is in order.

Shri Matthen (Thiruvellah): If it is not in order, the Bill may be referred to a Select Committee

Mr. Deputy-Speaker: I am going to allow the motion for reference to a Select Committee. It is for the House to accept it or not.

Shri Punnoose: Is there any provision against circulation?

Shri S. S. More: Sir, on the point....

Mr. Deputy-Speaker: One at a time, please. The provision as to what can be done is contained in rule 146:

> "II. Bills originating in the Council and Transmitted to the House.
>
> 144. On the day on which the motion for consideration is set down in the list of business which shall, unless the Speaker otherwise directs, be not less than two days from the receipt of the notice, the member giving notice may move that Bill be taken into consideration."

Rule 145 states what ought to be discussed at that stage.

Shri S. S. More (Sholapur): You are reading ...

Mr. Deputy-Speaker: I am reading the Rules.

> "146. Any member may (if the Bill has not already been referred to a Select Committee of the Council or to a Joint Committee of both the Houses, but not otherwise) move as an amendment that the Bill be referred to a Select Committee and, if such motion is carried, the Bill shall be referred to a Select Committee, and the Rules regarding Select Committees on Bills originating in the House shall then apply."

The subsequent Rules deal with consideration and passing.

On a Motion for Consideration on a Bill originating in this House, an Amendment can be moved that the Bill be referred to a Select Committee or be circulated for eliciting public opinion whereas here it is only reference to Select Committee. Wherever it is intended to allow a motion or an Amendment for circulating a Bill for public opinion, it has been said so. Therefore, except under the Rules, a particular procedure is not allowed. There is no provision for circulating the Bill for eliciting public opinion. Therefore, the Amendment is out of order.

I will allow the motion for reference to a Select Committee to be moved if he wants to move it. But he has not given the names.

Shri Matthen: I have got the names.

Mr. Deputy-Speaker: Why should he not hand it over?

Shri Matthen: I would like to say a word about the Bill.

Mr. Deputy-Speaker: I will allow him to speak. He need not make that motion if he does not want to do so. If the hon. Member does not want to make the motion for reference to Select Committee, he need not do so. All the same, I will call upon him to speak if he wants to have a chance to speak.

Shri Matthen: I want to speak now. I will move for reference to Select Committee later.

Mr. Deputy-Speaker: The practice is that he must make a motion for Select Committee, and then I will place it before the House. All hon. Members who want to take part can take part, both in the debate relating to the Bill as also to the motion for Select Committee. But the hon. Member who wants to move for reference to Select Committee must make the motion and speak. He will not have another opportunity.

Shri Matthen: I make the motion.

Mr. Deputy-Speaker: Then, where are the names?

Shri Matthen: Shri Pataskar, Shri A. K. Basu ...

Mr. Deputy-Speaker: Has he consulted those hon. Members?

Shri Matthen: Let him make the motion: "I beg to move that the Bill be referred to a Select Committee consisting of ... " This is something like a Purohit giving a "Mantra". Hon. Members must be acquainted with the procedure here.

An Hon. Member: He knows the "Mantra", Sir.

Shri Matthen: I beg to move:

> "That the Bill be referred to a Select Committee consisting of Shri Hari Vinayak Pataskar, Shri A. K. Basu, Shri N. M. Lingam, Shri K. A. Damodara Menon, Shri P. T. Punnoose, Shri S. V. Ramaswamy, Shri N. C. Chatterjee, Shri A. M. Thomas, Shri K. T. Achuthan, Dr. Suresh Chandra, and the Mover with instructions to report by the last day of the first week of the next session."

Mr. Deputy-Speaker: Hereafter—I have said it on a previous occasion also—if hon. Members are really serious about a motion for Select Committee, they must give the names in advance to me. I must have a copy of those names so that I may place it before the House. And they must also obtain the consent of the other Members. There is no good giving only four names, loading it with one side or the other. A Select Committee, normally, must be as representative as possible.

Shri Matthen: I do not mind adding. These are the names I have got.

Mr. Deputy-Speaker: Hon. Member may speak on his motion for Select Committee as also on the Bill.

Shri Matthen: With due respect to the hon. Home Minister, I have to remark that the Bill is ill-timed, inopportune, unnecessary and undesirable. It exhibits a symptom of fissiparous tendency of the Union of India. The Home Minister has recently been in Travancore and says he knows something about it. He also knows the great agitation that is going on in South Travancore for joining with Tamil Nad.

Of course, we are a small State, in the southernmost part of India, whose geography may not be very well-known to the hon. Members. North Travancore, Central Travancore and up to Trivandrum, and a few Taluks south of Trivandrum are Malayalam speaking areas, but the southernmost area is Tamil speaking area. It is with a view to help the southernmost area that the Bill has been introduced. But the hon. Home Minister knows, because it is he who announced it, that a high power Commission is to be appointed very soon for the distribution of States in the whole of the Union of India. And who knows this part will not be then added on to the Tamil area? And then the High Court to be instituted will have only a few Taluks to administer if that is added on to Tamil Nad. And it is quite possible if Aikya Kerala is coming in, which God forbid....

An Hon. Member: Why?

Shri Matthen:...we will have several hundred miles north added on to the State. Probably, he will then ask for another High Court in Calicut or Tellicherry.

Shri C. K. Nair (Outer Delhi): You are not in favour of linguistic States. Aikya Kerala is not a linguistic State. Then why this opposition to Aikya Kerala.

Shri Matthen: In view of the fact that the Commission is coming shortly, why not wait till the Commisson reports and the final distribution is made, and then have this bifurcation of the High Court? After all, Travancore has been going on with a High Court in Trivandrum when it had under its jurisdiction a District Court 25 miles north of Ernakulam. There was no attempt to have a High Court anywhere near there. I would therefore suggest that the hon. Home Minister should withdraw the Bill with the permission of the House and delay it till the high power commission reports.

It is said that there is an agitation and clamour for a High Court in Trivandrum. The clamour was for the removal of the whole High Court from Ernakulam to Trivandrum. If he does that I have no quarrel with him. After all, from one end of Travancore to another it is hardly 200 miles. If you are given this bifurcation at Trivandrum, I am afraid it is asking for trouble from other States who will ask for larger distribution of High Courts.

I believe the House is not aware of the history in this connection. At the time of integration of Travancore and

[Shri Matthen]

Cochin, Trivandrum was the headquarters of Travancore State, and Ernakulam of Cochin State. But just to humour both the parties, it was decided that the executive Government should remain in Trivandrum and the High Court in Ernakulam. That was the understanding. Is it fair now to take away a part of the High Court to Trivandrum when the clear understanding at the time of integration was that the High Court should be in Ernakulam. It is no wonder Mr. Iyyunni feels that Cochin must be separated from Travancore and remain independent, though actually it is a question of Travancore conquering in Cochin. This does give currency to that impression which is very unfortunate. It is unfair to go back upon the understanding made at the time of integration.

[PANDIT THAKUR DAS BHARGAVA *in the Chair*]

Then there is another important matter. I come from Travancore State. I know this Bill was actually forced upon the Travancore-Cochin Ministry—the Congress Ministry—on some political grounds. It is not so much the demand of the people there, as of some individuals for their own private and petty ends. In fact I know that the hands of Government were forced at the point of bayonet...

4 P.M.

Shri Punnoose: How?

Shri Matthen:......because the precarious Government of Travancore-Cochin, which is now the care-taker Government, wanted a prop, and the Tamil Nad gave a prop and sustained them on the *gadi*. But unfortunately that prop has been withdrawn, and the Ministry fell, so that it is now functioning as a care-taker Government. In order to do that, it has to humour the South Travancoreans. Why not wait, until the high power commission reports on the redistribution of provinces? (*Interruptions*).

I do not want to speak about the politics behind this clamour and how the bayonet was shown at the then Ministry. I think I would rather speak to the hon. Home Minister in private, because unfortunately I belong to the Congress Party, and so I do not want to say all that is behind it. But I can say this much for the benefit of hon. Members....

Shri Gidwani: If you want our votes, you must tell us.

Shri Matthen: ...that this demand was made by some individuals for their own petty and small private ends. The motive behind this demand was petty and small, and it is a pity that the hon. Home Minister, who has got a reputation, I am afraid, in the legal world.... (*Interruptions*).

Shri N. C. Chatterjee (Hooghly): Can the hon. Member say, I am afraid, he has a reputation in the legal world?

Shri Matthen: Of course, this was forced on him. (*Interruptions*). I am really sorry that the hon. Home Minister should have agreed to this demand. I can assure the hon. Minister, that this does not enhance the reputation of the High Court. At least the opinion of the High Court of that place, or of the Supreme Court next door to us, should have been solicited in a matter like this. I have got very reliable information that the High Court of Travancore-Cochin unanimously resented this bifurcation. I have very reliable information with me—I hope my information is reliable—that the Chief Justice of the Supreme Court, at a recent meeting of the judges of Travancore-Cochin spoke openly condemning this as a fissiparous move, and said that this was a step which ought to be discouraged. Moreover, at the recent conference of the Chief Justice, I understand every one of the judges opposed this on principle. At least the judiciary is one department which has maintained its integrity and efficiency, even after responsible Government has been introduced. (*Interruptions*). I would request the hon. Home Minister to keep intact this integrity, and safeguard their reputation and efficiency. The present Bill is certainly not a measure which will enhance it.

Kumari Annie Mascarene: It is.

Shri Matthen: I would therefore request the hon. Minister to withdraw this Bill, or if that could not be done, at least to refer this Bill to a Select Committee.

The distance involved is about 200 miles. and the transport arrangement in Travancore-Cochin is one of the best in India. There is an air service, as the hon. Minister has just stated. and we are going to have a railway line between Ernakulam and Quilon. In view of all this, why should we divide the High Court into two portions? In a small State like Travancore-Cochin, where we are having a small number of people, and a small number of judges too. we should keep them as a community in one place,—whether it be Ernakulam or Trivandrum. I do not mind. It would also be in the interests of justice that they should live as one community in one place. Why strain their sense of justice, and bring to bear on them political influences? I admit that it is not succeeding, and I know the judges themselves are resisting it. It is certainly unfortunate that two or three judges go to a corner and live there, giving room for temptations. A bifurcation such as this may be desirable in a large State like Uttar Pradesh, but not in a small State like the State of Travancore-Cochin.

I would therefore earnestly request the hon. Home Minister to withdraw this Bill, or if that is not possible. at any rate, to delay it by some months or years, so that this question can be taken up, after the redistribution of provinces. Otherwise, as I said at the outset, if the Tamil-speaking areas go to Madras. hardly a few taluks will remain within the jurisdiction of the High Court.

Mr. Chairman: Amendment moved:

> "That the Bill be referred to a Select Committee consisting of Shri Hari Vinayak Pataskar, Shri A. K. Basu, Shri N. M. Lingam, Shri K. A. Damodara Menon, Shri P. T. Punnoose, Shri S. V. Ramaswamy, Shri N. C. Chatterjee, Shri A. M. Thomas, Shri K. T. Achuthan, Dr. Suresh Chandra and the Mover, with instructions to report by the last day of the first week of the next session."

Shri A. M. Thomas: Sir. this Bill, it must be admitted, has its genesis....

Shri Raghavachari (Penukonda): He cannot speak on this Bill, because he is a Member of the Select Committee.

Several Hon. Members: He is a Member of the Select Committee, so he should not speak on the Bill.

Kumari Annie Mascarene: He is in the Select Committee. How can he speak?

Mr. Chairman: The same objection need not be taken by more than one hon. Member.

Shri A. M. Thomas: It is not an official motion.

Mr. Chairman: May I enquire of the hon. Member whether he has consented to be a Member of the Select Committee?

Shri A. M. Thomas: I do not wish to be in the Select Committee. because the difficulty is this...

Shri Damodara Menon (Kozhikode): I also would not like to be in the Select Committee.

Kumari Annie Mascarene: On a point of order, Sir. If an hon. Member reads out the name of another hon. Member who is not willing to serve on the Select Committee, and a list is submitted without the

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consent of the hon. Member concerned, is that list valid?

Mr. Chairman: It is presumed that when an hon. Member presents the list to the Chair, he has taken the consent of all concerned. But it appears in point of fact, that one of the hon. Members who has not consented wants to withdraw.

Shri Kelappan (Ponnani): When the list of names was read out, he did not take any objection to his name being there.

Shri A. M. Thomas: This Bill, as has been stated by the hon. Home Minister, has its genesis in an assurance given on the floor of the Legislative Assembly of Travancore-Cochin, by the Chief Minister of that State on 5th July 1952. The assurance was to the effect that having regard to the feeling expressed in the southern part of that State, and in deference to that feeling, Government was intending to introduce a Bill to amend the High Court Act, in the next session of that Assembly, so as to enable the constitution of a Bench with another single Bench at Trivandrum. It was also stated that the Government proposed to take the necessary steps for the purpose immediately.

It was further stated:

> "As for the constitution of the Bench and its transfer, the Chief Justice will have to be invested with authority."

> "In the light of the statement, I hope"—I am just reading the words of the hon. the Chief Minister—"that the Mover will withdraw the Bill"?

Sir, that was a Bill for transfer of the seat of the High Court from Ernakulam, the present seat, and for the location of a Division Bench at Ernakulam, and when that Bill was being discussed, the hon. the Chief Minister of Travancore-Cochin gave this assurance. It was ultimately found that the Assembly had no powers to enact such a legislation, and the Centre was approached, and as has been stated, the Centre acceded to the demand made by the State Government. Then this Bill was introduced in the other House and got passed and it is now before this House.

Sir, I would submit at the outset, that there is a feeling that if the hon. the Home Minister, Dr. Katju, had visited Travancore-Cochin before the introduction of this Bill in the Council of States, he would have only been too glad to drop this Bill altogether, because I believe, having regard to the nature of communication facilities in that State, a distance of 175 miles from the present seat of the High Court—that is the longest distance now obtaining from a district Court—is not too long to justify the bifurcation of the High Court of that State. There are so many States in India—much larger States—wherein the seat of a district court is even about a thousand miles away from the seat of the High Court, and I do not find any Bill moved by the Central Government, to speak in the very words of the hon. the Home Minister, to bring justice to the home of these people. Why, I do not understand, the small State of Travancore-Cochin has at first been selected after the coming into force of the Constitution for this. Why this is the very first State to be selected for introducing such a Bill, passes my comprehension.

Sir, there is, for example, the district of Malabar, close to Travancore-Cochin. We, as a matter of fact, know that Malabar is hundreds of miles distant from the seat of the High Court at Madras, and there has not been any attempt made on the part of the Central Government to have a Division Bench of the High Court of Madras located in Malabar. Sir, in the recently-formed State of Andhra, for example, there are several districts farther away from the seat of any High Court which may ultimately be chosen there, but there is not the remotest idea anywhere ntertained in the State circles there r among the public at large to have, when the Andhra High Court is constituted, Benches of that Court in the various districts of that State. So that if that is the position, why, I cannot understand, this Travancore-Cochin State should be selected to have this experiment after the Constitution has come into force.

Sir, the hon. the Home Minister referred to several precedents to indicate that there have been instances where Benches of some High Courts functioned in several districts. He pointed out, for example, the case of the Lucknow Bench of the Allahabad High Court. Sir, the location of the Lucknow Bench is more a matter of historical growth rather than the result of a deliberate policy on the part of either the Uttar Pradesh Government or of the Central Government to have a Bench at Lucknow. There was the Oudh Chief Court and it was found feasible, when the Oudh Chief Court was abolished and was amalgamated with the Allahabad High Court, to have a Bench of the Allahabad High Court also at Lucknow. I would not have had any quarrel with the hon. the Home Minister if the state of affairs in Travancore-Cochin was the same as obtained in Uttar Pradesh. If, for example, before the integration of the States was effected and before the two High Courts functioning in each State were integrated into one, the High Court which had its seat in Trivandrum continued to function there and the High Court functioning at Ernakulam continued to function, in that place then, Sir, there would have been some justification for maintaining the two Benches in two separate places. Now, Sir, in July 1949 the integration of the two States was effected. The integration of the High Courts was also completed, and about 4 years and odd have passed. The integrated High Court is functioning very satisfactorily. There has been speedy disposal ot cases. The advocates of the two States have now come together and they are functioning under one roof. It has been able, because of this integration, to arrest separatist tendencies which were in vogue soon after the integration, *i.e.* the Cochinites clamouring for the rights of Cochinites and the Travancoreans clamouring for the rights of the Travancoreans. These feelings, to a great extent, have been removed because of the integration of the two High Courts, having a homogeneous Bar sitting in one particular place. Sir, when that has had a very healthy influence in the public life of that State, it is rather unfortunate that the Bar is again separated into two—sending a set of advocates to Trivandrum and retaining the other set in Ernakulam.

Sir, as the hon. Minister has pointed out, besides the Chief Justice, there are only 7 other Judges in the Court, and if 3 Judges are transferred to Trivandrum, the High Court would only have 5 Judges in Ernakulam. I would submit in all humility, Sir, that neither the one nor the other will look a High Court consistent with the prestige and dignity of that State. It will look more or less like two glorified district courts—one glorified district court in Trivandrum and another glorified district court in Ernakulam. Sir, that the hon. Home Minister, an experienced and top-ranking lawyer himself, should have found it fit to introduce such a Bill, is rather very unfortunate.

Shri V. P. Nayar (Chirayinkil): On a point of information. Could I know from the hon. Member how far the present High Court is from his House?

Mr. Chairman: The hon. Member need not answer that question.

Shri A. M. Thomas: For that matter, Sir, I would say that I have absolutely no objection, as has been stated by the hon. Member, Mr. C. P. Matthen, to transfer the entire High Court from Ernakulam to Trivandrum. Sir, my opposition is on a matter of principle and nothing else. I have absolutely no objection

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for the adoption of that course. So that, personal interests apart, Sir, I am just advocating my point of view on a matter of principle and nothing else.

Before I proceed further, though I have said so much, I should like to congratulate the Chief Minister of Travancore-Cochin for the tenacity with which he has pursued the matter, to see that the assurance given by him was carried out. Sir, it is all the more complimentary in that he stuck to his promise, even though he was forced to commit himself to a decision—as has been pointed out by Mr. Matthen—owing to some force of circumstances. As has been stated in the Administration Report of the States Ministry, for some time a coalition Ministry was functioning in Travancore-Cochin. As a result of that coalition, there was also the necessity of making this decision for the transfer of a Bench to Trivandrum. Even though that party which was responsible for compelling so to say, the Government of Travancore-Cochin to take this decision has dropped out of the coalition and was responsible for defeating that Ministry very recently in the Assembly, the Chief Minister has not swerved from his assurance. And, my information is that he has been making repeated representations to the Central Government for the enactment of this legislation. (*Interruption.*) Sir, I am afraid, tenacity or consistency in matters like this cannot be construed as a virtue when the interests of the public at large are involved. I may at once state that there is a large volume of public opinion in the State of Travancore-Cochin against the contemplated bifurcation. Sir, it was good that the Bill was hanging fire for a very long time and people have, so to say, reconciled themselves to the fate of bifurcation. When Dr. Katju visited our State, he had occasion to address the members of the Travancore-Cochin Advocates Association, but this issue was not deliberately raised there by the spokesman of the Association because it was thought that it would be embarrassing to the hon. Home Minister.

Dr. Katju: I am glad to hear that.

Shri A. M. Thomas: Because, Sir, on a previous occasion that very same Advocates Association, which had the honour to receive Dr. Katju the Home Minister, had passed a resolution against the contemplated move of bifurcation. The Travancore-Cochin Advocates Association consists of members hailing from the taluks of South Travancore forming the district of Trivandrum and also advocates who were practising before the District Court of Nagercoil, the two district courts intended to be served by this Bench contemplated to be located at Trivandrum. The Advocates Association also opposed this move on a matter of principle.

Sir, I would like to be told why the Central Government, when it acceded to the request of the State Government did not consider it proper to accept the advice of the High Court of that State. I would also like to be told whether the Central Government had referred the matter to the Supreme Court of India.

Dr. Katju: What for?

Shri A. M. Thomas: Sir, the Constitution makers have deliberately put this on the Central list. The main argument that is seen to be advanced by the Government in the Statement of Objects and Reasons is that the State Chief Minister has made an assurance and the State Government is wedded to that. The State Chief Minister's assurance was only to the effect that he would introduce a measure in that Assembly. When that was not possible and when it was found that it was a Central subject, my humble submission is that the Centre ought to have seen whether, having regard to the all-India set up, it was proper to allow one State to have a High Court bifurcated like this.

Shri Raghavachari: There is no mention in the Statement of Objects and Reasons.

Shri A. M. Thomas: It states that the State Government has come to this conclusion. I read at the outset the statement made by the hon. Chief Minister on the floor of that Assembly. My submission is that the Central Government. when it decided to introduce the Bill, ought to have not only depended on the recommendation of the State Government but ought to have made its own independent enquiries with regard to the feasibility or the desirability of such a move. I think, Sir, such an enquiry has not been conducted by the hon. Home Minister. He himself said that the High Court of Travancore-Cochin is not quite happy over it and he also incidentally referred to the facilities of communications existing there, so much so that it tempted the hon. Member Shri Gidwani to put the question whether the hon. Home Minister was not arguing against the Bill. The hon. Minister has stated that it is seen that the High Court is not quite happy about the Bill. I would like to know whether the highest court of the land has been consulted in the matter of what exactly its opinion in this regard was.

Sir, Mr. Matthen referred to the speech of the hon. Chief Justice of the Supreme Court of India, when he visited Ernakulam, the seat of the High Court. The proposed bifurcation was in the air at that time. He condemned in the most strong terms any tendency to play with the High Court in such a fashion, to bifurcate it in such a way, when circumstances did not warrant such a procedure. I have already stated that the analogy of the Lucknow Bench will not apply in this case. The hon. Home Minister referred to the benches existing in Madhya Pradesh and in Rajasthan. Sir, those benches also did not come into existence after the Centre has taken powers under the Constitution. Those benches in Madhya Bharat and Rajasthan were constituted before the Constitution came into force.

An Hon. Member: That does not matter.

Shri A. M. Thomas: Sir, after the Constitution has come into force and when the organisation and constitution of the High Court has been left to be decided by the Centre, my submission is it is not proper for the Central Government to be influenced by considerations which may exist and pressures which may be put on State Governments to decide a matter like this. The distance from the district courts that are sought to be served by this amending Bill, that is the Nagercoil District court and the Trivandrum district court which will come under the jurisdiction of this bench contemplated to be set up, is only 175 miles and 133 miles respectively. We have got good roads tarred and cemented connecting these places to Ernakulam.

Sir, I do not want to make a long speech. I would say that especially when the Central Government has announced its intention to constitute a Boundary Commission for the reorganisation of the States, it is too early to take any steps in this direction. The Central Government is also proposing to introduce a Bill to effect judicial reforms in the States. In the light of the report of the Boundary Commission; and in the light of the working of judicial reforms when they become law, any move for amending the constitution of the organisation of the High Courts in the various States can easily be taken up. It may be borne in mind that it is not a circuit court that is contemplated to be constituted under this Bill that is now before the House. There is a Circuit Court of the Punjab High Court functioning in Delhi. If it is a circuit court there may not be a necessity of duplication of establishments. I would not

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have had any objection if what was intended was a circuit court to function in Trivandrum.

Shri Velayudhan (Quilon *cum* Mavelikkara—Reserved—Sch. Castes): What is the difference?

Shri A. M. Thomas: There is the saying that 'Fools rush in where Angels fear to tread'. If the difference between a circuit court and the location of a Division Bench cannot be understood......

Mr. Chairman: Order, order. Let there be no interruption.

Shri A. M. Thomas: There will be no necessity for setting up an administrative machinery in Trivandrum, no necessity for any staff to work there permanently, no necessity for a separate big library, a Registrar and all the paraphernalia of a High Court if it is a circuit court. Having regard to the benefits that may accrue from this, whether such a large expenditure is warranted for this small State is a point which has to be considered. It may also be borne in mind that the litigant public, who resort to the High Court, usually go there only for appellate side work and it is a matter of common knowledge that the litigants and witnesses would not have to come to the High Court in many cases. If a file is entrusted to an advocate, naturally he will attend to it and only once or twice the party concerned may have to go there and in certain cases it may not be necessary for him to go at all. Even though the Travancore-Cochin High Court has the power to try sessions cases, usually the District Courts try them. There is no Sessions Bench attached to the High Court in that State. Having regard to the wishes of the general public, I don't think that this is a measure which will be so much welcomed by the public as is stated to be.

Formerly in the High Court of Cochin, the duration of an appeal was not more than 2 years, while the average duration of an appeal in the High Court of Travancore was more than 6 years and there were appeals in that High Court which were pending for more than 25 years. After the integration of two High Courts, it has been possible for the Judges to reduce the period of pendency to the minimum and they have been able to bring the pendency to a level equal to that which existed in the Cochin High Court. When there has been such a good and healthy effect after the amalgamation of the two High Courts, it is wrong, Sir, to bifurcate it again and have two sets of conventions laid down in the two areas. Technically it may be said that it is only one High Court and it is only a branch that is sitting in Trivandrum. There will be only 5 Judges catering to the needs of as many as eight district courts in Ernakulam and there will be three Judges to cater for the two district courts of Trivandrum District. I wish to know whether it is in the contemplation of the Central Government to increase the strength of the High Court from 8. It may be quite necessary and that will also add to the expenditure which will have to be borne by the tax-payer of that State.

The last thing that I wish to emphasise is that the control which the Court wields over the entire subordinate judiciary, will be affected to a great deal by this bifurcation. The hon. Home Minister was pleased to refer in his speech to the fact that it is the view of the High Court that all the Judges shall have their Headquarters at one place so that it will be conducive to add to the prestige of the High Court rather than have it in two different places and I am sure, Sir, that the control that the High Court will be able to exercise over the subordinate judiciary will be much more than it would be able to do if the Judges functioned at two different places.

I would again appeal to the hon. Home Minister that this is not a measure to be hurried up like this though it is only a single-clause Bill. It requires further consideration. When the Central Government brings forward such a measure, it has to look to other States also who may put forward similar demands. The Central Government impliedly accepts a policy, so to say, when it allows such a bifurcation in a State like Travancore-Cochin. As I have already pointed out, the longest distance is only 175 miles there, whereas the distances covered elsewhere are 500 and 600 miles and sometimes even 1,000 miles. What will be the justification for the Central Government to refuse similar requests from other States? I submit that this will lead to fissiparous tendencies and having regard to the national unity that the Prime Minister has in view and over which even the Home Minister was waxing eloquent when the problem of linguistic provinces was discussed, I would say that this will lead to unnecessary agitation in several parts of the country, which it is not proper to arouse at this time.

I once more state in all seriousness that this is not a Bill conducive to the proper administration of justice in that State and I would suggest that it is proper to wait for some time for the report of the Boundary Commission and also see the working of the Judicial Reforms Bill that the Government has in view.

Shri Punnoose: Mr. Chairman, Sir, at least on this occasion I feel a lot of sympathy for the Home Minister.

Shri S. S. More: Then he will withdraw his Bill.

Dr. Katju: I am a very reasonable individual and greatful for his sympathy.

Shri Punnoose: Not only does the Home Minister but the Chief Minister of Travancore-Cochin demands a lot of sympathy at our hands today, because here we find a part of his own followers letting him down. Not a single argument was advanced from the Congress Benches in favour of the Bill. Mr. Thomas, who spoke last, was praising the tenacity of the Chief Minister of the Travancore-Cochin State. I could understand that. When he has to let him down, he cannot do it unceremoniously. But Mr. Thomas was wise enough—and Mr. Matthen too—not to explain how this promise was given or why this promise was given. 'Under extreme pressure', 'under unavoidable circumstances' and all sorts of such adjectives were used. Tell us plainly how this promise was given. What was the national emergency threatening that State? Was there an attack from any foreign powers? Was there anything of the sort? The single reason behind the whole thing was that a minority party of 44 in number wanted to be in power and they bartered away the right of the High Court. In order to cover this up, all sorts of phrases are being used and the Home Minister comes up and tells us that he had visited the Travancore-Cochin State and that he has some idea about it. But, Sir, a little knowledge is a dangerous thing. He has travelled there, of course, well guarded, hundreds of black flags welcoming him in many places.

Dr. Katju: I was received also with white flags and green flags, but what has that got to do with this Bill apart from having just a geographical connection?

Shri Punnoose: In our place, they are all hospitable people. They receive even people who do them wrong.

Mr. Chairman: That is self-praise which according to proverb is no praise.

Shri Punnoose: My point is, we have to look into these things. The House should take note of the circumstances in which this Bill has now come before the House. In 1948

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there was a general election in the State. It was then Travancore State and not Travancore-Cochin. The Congress party was then returned in a large majority in that general election by adult franchise. At that time, it was not a legislature, but a representative body that was elected, that is, with powers to frame a constitution for Travancore. It was some sort of a Constituent Assembly. In Cochin also, in 1948, there was some such election.

Shri Achuthan (Crangannur): The power was not there.

Shri Punnoose: In 1949, all of a sudden, came the question of merger. Or, rather, there was no question. It was a settled fact, that came on our heads. It came like a bolt from the blue.

Shri Achuthan: Not a bolt from the blue. You were not there. That is my honest feeling.

Shri Punnoose: Well, Sir, it is true that I was not there then. I know many others were not also there. Today, friends like Mr. Achuthan are probably regretting for what they did then in 1949. So, in 1949, it was decided that these two States should be merged and integrated. What was this integration for? Who wanted it? There was no talk about it. Here, Mr. Achuthan will not dare to say that there was an agitation either in Travancore or in Cochin or in any other part of those two States, for integration. I am quite sure he will not say that. There was a general agitation, a longstanding demand of the Malayalee people for a united Kerala. True. There was the demand for the abolition of the Royal rule. These two demands were there. And then came this distorted agitation for integration. When Mr. Achuthan says that the Legislature decided on integration, it only means that the Congress party which was in a large majority in the House, agreed to it.

Mr. Chairman: I would request the hon. Member to kindly speak on the provisions of the Bill, and on the merits of the question. He need not go into past history—how a thing was promised, how it cropped up and how it developed. I would rather like him to speak on the merits.

Shri S. S. More: That is part of the merits.

Shri Punnoose: My point in saying these things is to show that this Bill has come out as a result of the manipulations of the political (Congress) agitators, the political objectives and the factional objectives of the party in power. That is my point which I humbly want to submit. That is what I wanted to drive home.

Mr. Chairman: If the hon. Member makes these points, there will be certain others who may controvert such points. Those are all details which are not necessary. Let him speak on the merits of this question which is before the House. Let him concentrate his attention on that, rather than go into the past history, how the matter developed, etc.

Shri Punnoose: I submit that all these will affect the merits or demerits of the question before the House.

Mr. Chairman: Then, let it be as brief as possible.

Shri Punnoose: Then, this merger was done overnight. There is a covenant on the merger of the two States.

Shri Achuthan: Integration, not merger.

Shri Punnoose: Whatever you call it—when this integration was effected, there was a covenant. In that covenant, there is no mention about either the seat of the High Court or of the capital. But then there was an attempt at Cabinet making, and shuffling and re-shuffling of the Cabinet, and all sorts of difficulties came up. Certain interests in Trivandrum and Ernakulam began to put in demands, and then the general elections came. As I said, the congress party was returned in a majority to the legislature. They wanted to form a cabinet, and there was not a sufficient number. Then, the Chief Minister there, Mr. A. J. John, who has now the proud privilege of being in power even though defeated and discredited, made a promise to the party. He made an open promise that the High Court will be bifurcated and one Bench will be placed in Trivandrum. This is the whole story. It is purely a political move. The whole thing came up as a political stress to satisfy political aspirations, and today, we have come to a certain pass when this thing faces us. Well, Sir, before the High Court was taken away to Ernakulam, the position was like this: In Travancore High Court, civil suit appeals: 2,774 in 1949, while in Cochin, it was 308. Civil Miscellaneous Petitions: Travancore, 5,885, Cochin 116. Civil Revision Petitions: Travancore, 909, Cochin, 77. Session Appeals: Travancore, 171, Cochin 2. Criminal Appeals: Travancore, 508, Cochin 6. Criminal Revision Petitions: Travancore, 400, Cochin 13. What I want to submit is there was no case for the transfer of this High Court at all. There was no popular demand. It was some sort of deal entered into by the leaders of the congress party at that time. Then when once it was shifted to Ernakulam, counter-claims came from Trivandrum, from Nagercoil, from political parties also, and from the people round about the Trivandrum Corporation. Then, this promise was made. I am surprised that Mr. Matthen and Mr. Thomas standing up and speaking against the measure, because this was a promise given by their own party, and not by the Chief Minister of Travancore alone. They already gave a pledge that this High Court will be bifurcated. Why on earth did they stand up and oppose it? I cannot understand. That is obviously the very type of discipline observed by their party. But it is for them to decide. Anyhow, the position today is this. Why this hurrying up of this Bill now, at this juncture? It is true that the congress cabinet has fallen but still it continues. But the general election is fast coming. But they have to carry the people with them, put dust in their eyes, and therefore, the immediate bifurcation of the High Court has become necessary!

Now, there is no use, from my point of view, making long speeches and sermonising on the dignity of the High Court or its indivisibility. Already it is an accomplished fact. Whether you keep that High Court now in Ernakulam or have a part of it in Trivandrum, anyway, this has become an issue among the people, among the large sections of people, one way or the other. Sections of people in Trivandrum and downwards want a part of it in Trivandrum. There is no doubt about it. Having come to that pass, having manipulated all these things, having made this case so bad, it is not for the congress members now to talk about the dignity and the prestige of the High Court. We have to look into that. So far as the provision in the Bill that there should be a Bench in Trivandrum goes, I agree with it, because large sections of the people want it and promises have been made by the Ministry to that effect. People in Trivandrum and the surrounding places will now be very unhappy if this Bill is not passed. So, I fully support the idea of a Bench in Trivandrum.

Shri A. M. Thomas: But your arguments are all against it.

Shri Punnoose: But the arguments of a Ministry and party which goes against all canons of reason we have somehow to meet. This is the only position now possible.

The Home Minister spoke about the people of Quilon and Ernakulam and all that. Even now this Bill is

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contemplated without taking all those things into consideration. He was speaking of the Trivandrum district. But what about Quilon district. Quilon is only forty miles away from Trivandrum. But it is more than 75 miles from Ernakulam. Even according to the amended Bill the people of Quilon will have to go all the way to Ernakulam. Why should that be? If there is going to be a Bench in Trivandrum it would be convenient to all people concerned.

Therefore, I have moved an amendment....

Mr. Chairman: He can speak on it at the clause by clause stage.

Shri Punnoose: So. while I deprecate the manner in which this question has been handled all through, I would support the Bill itself.

Kumarie Annie Mascarene: Mr. Chairman, I am giving unconditional support to this Bill.

Mr. Chairman: I think the hon. Member will not take long; because there are many speakers anxious to speak.

Kumarie Annie Mascarene: No, I will finish in a short time. I am happy because the Bench is to sit in my constituency. The people of my constituency and the people of South Travancore are waiting very anxiously for this Bill to be passed, so that justice may be within reach, without the least expense, without the least delay and without inconvenience. That is the reason why I gave unconditional support to the Bill. The good Home Minister has given a boon to South Travancore and to my constituency.

Sir, there were speeches about the dignity of the judiciary. I have not been a lawyer for a long time as Mr. Thomas. But I have been there for a few years and I know the dignity of the judiciary. I define the dignity of the judiciary to be that aspect of the institution which gives justice without delay and inconvenience to the common man in the street. That is the dignity of the judiciary. It is not a colossal nature of the institution, the structure with a number of benches, a retinue of servants dancing attendance on you, while the poor man at the door is not able to get justice without paying heavily to the lawyers and dancing attendance in the courts. That is not the dignity of the judiciary. However small the institution may be, however insignificant the clients may be, the dignity of the judiciary consists in meting out justice to every man—to give every man his due. And that will be done by this Bill when it comes into force.

Sir, the judiciary is a sacred institution. It is the temple of justice. It has been long recognised to be a temple of justice, long before the hon. Member was born.

Sir, I differ from that section of opinion which was saying that there is a good section against this Bill. As far as I know there is none. On the other hand, Sir, ever since integration it has caused great inconvenience to the litigants of South Travancore to go to Ernakulam and get justice. Complaints have been made to the Congress Party which is running the Government even now. The fact that it was done on a party bias or otherwise is not the question here. The question is whether the people of South Travancore are entitled to the right of getting justice with the least cost. Sir, between South Travancore and Ernakulam there is no train connection. The people of South Travancore compared to the rest of India are comparatively poor. They must have justice; they must have a court of law. From the statistics which has been read to this House by my hon. friend Mr. Punnoose it will be understood that judicial work is five times or even ten times more in Travancore than in Cochin.

Shri A. M. Thomas: But the whole of Travancore is not being served by this.

Kumarie Annie Mascarene: That is why we wish to introduce an amendment that the territorial jurisdiction may be extended from Trivandrum to Kottalakara and Quilon, etc. Sir, the people of South Travancore deserve to be treated like this. During the days of hectic agitation for democracy, when my hon. friend was carrying on and enjoying legal practice in the court of Ernakulam, the people of South Travancore have shed their blood for democracy and stood by the Congress. I am an eye-witness and I have worked. Sir, the opinion of Mr. Matthen and Mr. Thomas is very convenient now, because they have not paid anything for a seat in the Congress Party. But I can tell you from experience of the last twenty years that the Congress High Command in Travancore, not in Cochin, have been unjust to the Tamils of the South. What if they have extracted a promise from you for a Bench as a condition of co-operation? How else are they to achieve their ends? The ruling party must appreciate that it is much better to get it as a condition rather than resort to subversive activities, to resort to satyagraha and disgrace that institution.

Shri A. M. Thomas: Will they achieve this, if they go to Madras State? That is their agitation.

Kumarie Annie Mascarene: Their agitation is that they want a linguistic province, because the Travancore Congress was not fair to them. They were not fair to them from the very beginning. I was in it and I saw it with my own eyes. So, they have every reason to have no confidence in the Travancore congressmen, because they tried to ride rough-shod over the South Travancoreans thinking that they are Tamils. Sir, the Tamil-Malayalam question was brought about by the leading Congressmen of Travancore.

Shri A. M. Thomas: Of which the hon. member was one.

Kumarie Annie Mascarene: No, you know very little about the hon. member's congress activities. If she is not mistaken, she has mothered the Congress, she has brought it up, and she has gone out of it when people like you entered it and viciated it.

5 P.M.

Sir, I am extremely grateful to the Home Minister for introducing this Bill at least at this late hour. The people demand it, and the Central Government has done nothing but discharged a faithful duty of theirs to the people of the State. (*Shri Gadgil*: Once in a way a good word!) They have done a meritorious service to the people of the State by giving them the chance to get justice with the least cost, inconvenience and delay.

Shri N. C. Chatterjee: Mr. Chairman, Sir, after so many friends from Travancore have spoken I think a non-Travancorean may bring this House to the consideration of the Bill itself. We are really grateful to the hon. the Home Minister for introducing a Bill which has provided such an interesting and exhilarating debate.

I was deeply perturbed when I read a memorandum submitted by the President of the Bar Association of the Travancore-Cochin High Court. That memorandum was submitted to the Prime Minister of India. I shall read one sentence from it and I want a categorical assurance from the hon. the Home Minister that the apprehension voiced therein is not correct and is not well-founded. The President of the Bar Association of that High Court says:

> "I feel it my duty to impress the voice of the people that it is an attempt to efface the entire prestige and importance of one of the integral parts of the united State of Travancore-Cochin".

I hope, Sir, that that is not the design of this Bill nor is there any manoeuvring on the part of the Government to undermine in any way the importance of the State brought about by the integration of Travancore and Cochin.

Shri Rajagopalachari while delivering a speech on the occasion of the

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installation of His Highness the Maharaja in 1949 observed:

> "Cochin is smaller than many other States in area and population, but it has always been counted among the foremost in the quality of its administration and in the intelligence and culture of its people."

Certainly, my friends are right when they said that the Cochin High Court had built up a great reputation. And any one who has anything to do with the administration of law and justice in this country would certainly pay tribute to a High Court which had on its file no case over two years old. The Cochin High Court was famous for its speedy disposal of cases. The maximum pendency was only two years. That is a great record. You, Sir, as a distinguished lawyer know what is the average life of an appeal in the High Courts in this part of India!

Shri Gadgil (Poona Central): Is it due to the judges or lawyers?

Shri N. C. Chatterjee: Both, I take it, Sir. The Travancore-Cochin High Court, after the integration, has also maintained that reputation. In spite of the difficulties which my friends referred to, this High Court has done very well. There are, as you know, Sir, nine States in Part B of our First Schedule. Of course one is nominal, Jammu and Kashmir. Apart from that there are eight. Of these eight we can legitimately pay a tribute to this High Court of Travancore-Cochin. It is in no way inferior to any other High Court in any Part 'B' State.

I had the privilege of being associated, in the Supreme Court of India, with one of the biggest appeals which came from Travancore-Cochin. You know, Sir, the Sales Tax case from that State in which a number of Advocates-General came. I had the opportunity of discussing with a large number of lawyers who came from Travancore-Cochin. And I found that there was a feeling that there were politics behind this move, some kind of a political wrangling or manoeuvring. I want an assurance from the hon. the Home Minister that there is no such political manoeuvring or political intrigue behind this.

The Chief Justice of Travancore-Cochin High Court, if I remember correctly, is himself a Travancorean. But we are told he is against this bifurcation. That is a very important point. I would certainly give first consideration to the considered opinion of the Chief Justice of that High Court. And we can take it that he is not influenced at all by parochial considerations because he is himself a Travancorean. May I know from the hon. the Home Minister why is the Chief Justice of Travancore-Cochin High Court against this bifurcation? What are the solid grounds behind it?

At the time of integration I know there was a good deal of discussion and responsible statesmen weighed the pros and cons. Ultimately a deliberate decision was taken that the political capital shall be located at Trivandrum but the judicial capital, that is the High Court, shall be located at Ernakulam. That was the decision. Why are you going back on it? Why are you bifuracating it? Why are you trying to whittle it down? There must be some cogent reasons. It won't do simply to say that the judges of that High Court, including the Chief Justice, are unhappy over it and are against it. Why are they against it? I cannot believe that the Judges are against it possibly because of a diminution of their status. We cannot believe it. We know there had been a Circuit Court in Delhi. Was Chief Justice Weston or Chief Justice Bhandari's dignity lowered because a Circuit Court was sitting here? There must be other reasons. Has the High Court given any reasons? If so, what are the reasons? May we know them? Could Parliament be taken into confidence and told what are the solid grounds advanced by them? I want that Parliament should be taken into confidence.

I also know this, and this is a very important point. Chief Justice Patanjali Sastri of the Supreme Court of India who is a judge of great experience and who certainly has absolutely nothing to do with parochial questions or local politics, delivered a speech at Ernakulam where he discouraged this kind of bifurcation.

Sir, you know from your experience, I know from mine, and other hon. Members who are associated with the administration of justice will support me when I say that a small court does not permit of bifurcation. It becomes a very weak court then. You know, Sir, what has happened to your own High Court of which you are a distinguished lawyer. I refer to the Punjab High Court. When I went to Simla when the Circuit Court was sitting at Delhi I found only two or three Judges sitting at Simla. It becomes very difficult. It is all right for Bombay or Calcutta to send out a Circuit Court or a Division Bench, from Calcutta to Andamans or anywhere else. That won't affect its status or efficiency. I do not believe that the Chief Justice and Judges of the Travancore-Cochin High Court are opposed to this Bill or this move only on the ground of status or prestige or on the ground of possible diminution in their kudos. It must be something else. I would like to know what arguments were advanced.

There was a meeting of the Chief Justices of India. I had the privilege of meeting the Chief Justice of Travancore-Cochin in some functions as also at the hon. the Home Minister's place. But I did not have the opportunity of discussing this matter with him. But I want to know whether the Chief Justices conference which met here for two or three days considered this aspect of it. If so, what is their decision? Have they passed any resolution? This is an important Bill pending before Parliament. Was the Chief Justice of India consulted? Were the views of the other Chief Justices taken into account? At least what is the Chief Justice of India saying about it? May we know? Recently he toured Travancore-Cochin. Wherever he has gone he has mixed with people, talked to members of the bar and Judges and listened to other representatives and other interests involved; litigants also, and chambers of commerce. He has been doing that. What is the view of the Chief Justice of India in respect of this Bill?

Then, Sir, is this a fact—I do not know, I am appealing to the hon. Home Minister for facts. Is it a fact that by this Bill, if Parliament in its wisdom passes it into law and if it is put on the statute Book, then only 27 lakhs of people will be benefited, whereas the number of people who would be benefited by the location of the High Court at Ernakulam is 47,06,868? Is it true that proximity, convenience, distance, all taken together, the argument is in favour of retention of the High Court in fact at Ernakulam ?

The third point that I want to make is this. One argument has been pressed very hard by the Members of the Ernakulam Bar. Don't think that in the Ernakulam Bar, they are all non-Travancoreans or that they are all Cochin Advocates. Some of them are; may be in a majority. They point out that of the seven District Courts in the erstwhile Travancore, four of them are nearer to Ernakulam than Tri vandrum. Is that correct? If that is correct, what is the reason? Has the High Court possibly taken into account, while opposing this measure, the geographical situation of Erankulam, its easy accessibility to the different parts of the State, the importance of Cochin harbour as a trade and maritime centre, the proximity of Ernakulam to the majority of the subordinate courts in the State, and the need to satisfy also the sentiments of the people ? Did these things influence the decision of the High Court as they did influence the decision of the statesmen who decided that the political capital should be in one place and the judicial capital in another place? I am asking for this information, because this Bill should

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not be approached at all from a party angle. There should be no political considerations weighing with us in discussing the merits of the Bill. The significant factors are those which I have enumerated and I hope the hon. Home Minister will give us some facts and some cogent grounds to justify our enacting this measure.

Mr. Chairman: Shri Velayudhan.

Shri Achuthan: Back benchers may also be called.

Mr. Chairman: The hon. Member need not direct the Chair.

Shri C. R. Iyyunni: Mr. Chairman, Sir......

Mr. Chairman: I have called Shri Velayudhan.

Shri Velayudhan: Mr. Chairman, I was very patiently hearing the speeches not only from my colleagues from the Travancore-Cochin State, but also from my hon. and esteemed friend Shri N. C. Chatterjee, who is an ex-Judge of a reputed High Court. This Bill, I think ought to have come earlier, because I think it is more than 2 years since there was a discussion on this matter not only in the Travancore-Cochin legislature, but also in the public in that State. Somehow or other, it has now come in at an opportune time and I am very happy to support this Bill, entirely.

The arguments adduced by my hon. friends Shri Matthen and Shri A. M. Thomas, I think, are not very practical or at the same time, useful to the people of my State.

Shri C. R. Iyyunni: Which is your State?

Shri Velayudhan: I must say that I am not an advocate like Shri A. M. Thomas or somebody else. But, I have always claimed and still claim that I am an advocate of the people. This Bill, in spite of its opposition from some Judges or advocates, has a large number of supporters in the Travancore-Cochin State. Because, the litigation is for the people, by the people. Of course, the law is administered by the Judges. I was, for the time being, thinking why the Judges should have a voice in starting a court or locating the court here or there. It is the executive's function. I have never heard anywhere that the Judges are the masters or judges in matters of locating a court in a particular place. They become Judges when they are appointed by the executive. It is my humble opinion that Judges have got a place in the administration of justice, but they have no place in the executive's justice. They are not to oppose the executive in all matters. Of course, there is the Supreme Court here. It can. But, it has not got the sovereign functions of a State. Here, this is a measure introduced by the executive and I am opposed to the Judges' opinion being taken in locating the court in a particular place.

Of course, Travancore-Cochin had integration. There is favourable opinion for integration; there is opposition also. At the same time, Trivandrum which was the capital of Travancore for centuries is, I think, a more suitable place, and it will be liked by the people of Cochin if there is a Bench of the High Court also there.

Shri C. R. Iyyunni: Liked by the people of Cochin?

Shri Velayudhan: Cochin is not losing the High Court. It is having the Chief Justice there. The High Court is still there. Two or three Judges may be sitting in Trivandrum. They are in charge of litigation of that locality alone. I think it is a convenient arrangement, an arrangement which must be accepted by all people. Perhaps lawyers may not agree to this. What is the law in India? I think it was a bureaucratic law, the bureaucratic Penal Code that these lawyers and Judges were following during the last two centuries in India. I was myself not having a high opinion of lawyers, let me frankly tell you, Sir. The other day, I was in a Select Committee meeting. I found a lot of difficulties that these lawyers were creating. I was myself feeling much about it. In a small Select Committee where we had to decide a few clauses, we took more than a month discussing this point and that, which had nothing to do with law, as a Judge sits over a judicial question.

As far as this particular Bill is concerned, it is the expediency as Kumari Annie Mascarene said and it is the convenience of the people that has to be taken into consideration. Therefore, I have to congratulate the hon. Home Minister and the Travancore-Cochin Government for introducing a Bill like this in the Parliament. One word, more, Sir. Shri Matthen was saying— I do not know— or Shri A. M. Thomas was saying that some fools enter into a place where angels dare not. Of course, I plead my innocence as I am not an advocate or a lawyer as Shri A. M. Thomas. But, the law is not for the advocates: the law is for the people. If that consideration is borne in mind by the lawyers, I think there would be a lot of convenience for the people and peace for the people, because. I think most of the litigation is caused not by the people, but by the advocates themselves.

Some Hon. Members: No, no.

Shri Velayudhan: There may be opposition; but I am in a majority, I think: perhaps not in this House, but outside. Therefore, this measure will be welcomed in Travancore as a whole. Of course, from a special point of view, I feel that the Quilon district also should be included within the jurisdiction of this Bench. Because a lot of representation has come to us, because from Quilon to Trivandrum is only 42 miles. but to go to Ernakulam it is more than that. Moreover, there are no conveyance facilities. Even from the point of view of the historic ties that the people of Quilon have with Trivandrum, I think that some of the Taluks from Quilon District also should be joined in the juris-

Shri Achuthan: I am really glad that this Bill which was hanging on for a number of months has now come before us. In fact, we are fortunate in having at the helm of affairs of the States and Home Ministries two luminaries, one of the Bench and one of the Bar. There must be sufficient ground for the Home Minister to come up before this House and the other House with a Bill of this nature.

About the broad policy, with regard to the location of the High Courts, if the Government of India has come to a decision that justice must be available at the door of the litigant, I am one with them. We need not be bothered or be carried away by the old ideas about the solemnity of the High Court, its prestige and all that. As was asked by two or three Members, how does it affect the common man, the ordinary citizen of this country? So, if the Government of India accepts the policy that as far as possible in all "A" and "B" States the High Court should be located in a place easily accessible to all districts, I entirely agree with the Government of India. Moreover, when I put a question last time after the introduction of this Bill about the location of Benches of the Supreme Court also, I got an answer that when a request comes, that question will also be considered. Under the Constitution, it is provided in Article 130 that:

> "The Supreme Court shall sit in Delhi or in such other place or places, as the Chief Justice of India may, with the approval of the President, from time to time, appoint."

There also, it has been provided that the Supreme Court may sit in Delhi, but not as Benches—there is a distinction. The Supreme Court may sit either in Delhi or in Bombay, Madras or any other place, not as Benches as it is now intended in this Bill. It must be open to the Central Government to have Division Benches of the Supreme Court located in Calcutta, Bom-

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difficult for the litigant public from different parts of the country to come over to Delhi and be here for getting justice. So, it would be worth while for the Government of India to take initiative in this matter, without taking up Travancore-Cochin, a petty, small State, and giving convenience to its southern area, with regard to the Supreme Court and say boldly: "We are going to have Division Benches of the Supreme Court in Calcutta, Bombay and Madras". It will give very good relief to a number of people. So, if Government have accepted that broad policy, it must be enunciated now and today by the hon. Home Minter that it is their policy to see that justice is meted out at the door of the litigant wherever possible.

With regard to this Bill, much has been stated about its faults etc. But I want to say one thing: that the Bill which was introduced in the Travancore-Cohin Assembly was moved not by a Tamil Nad Congress Member, but by a Member of the Praja Socialist Party, one Mr. P. S. Nataraja Pillai. Then, the general trend in the Assembly was that as far as possible convenience must be provided to the litigants so that people may not feel the difficulty or worry or loss or the drain in going over to the seat of the High Court and engaging Advocates and seeing that the case is heard and decided soon. So, that was, I presume, the ground for the Chief Minister to say then in the Assembly without, in a way, touching upon that particular motion concerned, that Government will take initiative in the matter. There is no other political motive. Much has been said here about the existence—very weak existence—of the Ministry there. It is a different matter. If the Congress Government there wanted to continue its existence, it would not have dissolved the Assembly and be seeking the confidence of the electorate now. That was not the idea then. So, I have not much to say about that.

When Cochin and Travancore were integrated I was in the Assembly. The matter was considered in detail. Leaders of both the States were there assembled. Then, for the sake of satisfying the public in Cochin and Travancore, we decided that for the time being the political capital would be in Trivandrum, and judicial capital at Ernakulam, because Ernakulam was a growing city then. People said that if the capital was shifted from Ernakulam to Trivandrum, the city would lose all its importance. So, for the time being we said let the judicial capital be shifted to Ernakulam, and it was on account of that that the necessary legislation was passed in the Assembly there.

Not even four years have lapsed before this question comes up. People in Cochin now ask us: "You say there must' be location of a Division Bench at Trivandrum. What is our fault? We are neglected. Travancore is a big State, almost swallowing Cochin, a small State." Petty feelings—crop up—that is the difficulty.

In regard to this particular Bill, I have nothing to say. We are here to say that justice must be delivered at the door step. There must be a band of Judges who have got character. They have to see that political or other considerations do not weigh with them. If they have not got that discipline, they are unfit to be in the Chair of the judiciary. That is all I would say.

People there say that even before the integration of the services has been completed, because Travancore has got a majority, they have come up with this Bill, that they have managed to persuade the Central Government to see that the Bill is brought before Parliament. So, I take this opportunity to say that it is not, at this particular moment, worth while or opportune to take up this question in this Parliament without seeing about the Supreme Court or explaining the broad policy with regard to High Courts. What is the position of Mangalore in Madras State? They have to travel 500 to 600 miles to Madras to have a case filed in the High Court and get justice there. Here, for the purpose of, so to say, giving relief to people who have to go 150 miles a Division Bench is being constituted but there is no question about those people who have to travel 500 to 600 miles. That is more urgent. In U.P., in Punjab, in all the Part "A" States, our Government must see that, as far as possible, legislation is passed by Parliament to see that High Courts or Division Benches are established properly in many centres to see that as far as possible the common man does not suffer to a great extent on this account.

Mr. Matthen has stated one or two points. I agree with him. There is the Boundary Commission which is going to be appointed. In fact, I do not say that South Travancore will go to any other part. I am not for it. I have said it here and also elsewhere. When it comes, we will discuss it. Anyhow, Government is appointing a Commission. Moreover, if there is considerable retrenchment in the paraphernalia that is now being maintained after the British tradition, then people can be relieved to a very great extent. There may not be necessity for people to go to Munsiff's Court, then to the District Court, and then the High Court and then the Supreme Court, having a number of stages, to get justice meted out by law. So that we must gradually see that going to Court is discouraged as far as possible. That is my view. Many countries are acting on that line. Until that broader question is discussed and we come to a conclusion, it is not necessary that this matter is so urgent as to be mooted here in Parliament.

Moreover, there will be duplication of expenses. Suppose a Bench is there we must have all the paraphernalia for it there out of the slender coffers of Travancore-Cochin. Then, apart from that, when we decide to have a Bench at Trivandrum, what objection have we to say that the nearby place Quilon is also tagged on to Trivandrum? We say for the convenience of South Travancore people we want a Bench at Trivandrum. Accepting that principle, what objection can there be to say, as far as possible, the area near about Trivandrum also may be tacked on to the jurisdiction of the Trivandrum Bench. I think when we accept one position, we are not to go away from the other position that convenience must be provided to the public to get justice meted out in a less expensive way than is possible now. That is another aspect of the question that has to be considered. I do not say that it must be considered right now, but that is a relevant matter which has to be borne in mind, by the Governments concerned. In fact, whatever the South Travancore people might say about the location of the division bench, if Government have it as a broad policy that justice must be made available cheaply, then it must be made available cheaply all over the country, and this should not be the only solitary instance, but this must be a pioneering instance, which will be followed by similar reforms, in other States as well. Only then will the hon. Home Minister be in a position to say that this is not as a result of an exceptional treatment given to Travancore-Cochin, but a general policy in the whole of the country, whereby similar reforms would be introduced in all the States, so that one State alone may not say, our judiciary has been dislocated, our sovereignty has been impaired, our legislature has been tampered with, and so on. The position should be that this reform applies to the whole of the country, and not specially to Travancore-Cochin only.

There may be a feeling in the Cochin area that its compactness has been shaken, and its importance diminished by integration, and it has further been shaken by the location of a

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division bench at Trivandrum. But with regard to the disposal of cases, Government must see that as many cases as possible are settled at Ernakulam as at Trivandrum, so that there can at least be the satisfaction that they have taken a lead in the speedy disposal of cases. When a case goes to the High Court, on questions of law or fact, it lies there for one or two years. Government must take steps to see that justice is meted out as early as possible. The litigant public is not interested where the division benches are located, or where the capital is located. They are interested only in getting justice with the least possible expense, delay and worry. So far as this aspect of the matter goes, I agree with it. If the *pros* and *cons* are discussed, I may have much to say against this Bill, because this is an inopportune moment for bringing it forward. But on the question of broad policy, I entirely agree with Government's proposal to have justice meted out to the litigant public at these two places.

Shri Damodara Menon: Mr. Chairman Sir, I am opposed to this Bill. I agree with the views expressed by many hon. Members who spoke earlier and said that this Bill had been motivated by sectional, parochial and narrow political interests. The hon. Home Minister, when he made his speech introducing the Bill, was rather apologetic about it. He had no valid ground for demanding the bifurcation of the High Court at Ernakulam. From what he stated, it would appear that the length of the State was something like 600 or 700 miles. After all, it is a small area, whose entire length is only about 250 miles. Only about 90 lakhs of people inhabit that area.

Shri A. M. Thomas: 92,81,000 people.

Shri Damodara Menon: For these 92,81,000 people, do we want two High Courts? This is a question not only for the Members who come from Travancore-Cochin, but for every hon. Member in this House, because this involves a wider issue. If we are going to have High Courts at this rate in the whole of India, what will be the expenditure involved? Are the Government prepared to meet the full implications of the Bill that they have brought forward before the House today?

Kumari Annie Mascarene: Yes.

Shri Damodara Menon: Kumari Annie Mascarene who spoke so vehemently about this Bill said that she welcomed this measure, because...

Shri A. M. Thomas: It is in her constituency.

Shri Damodara Menon:...the bifurcated High Court goes to her constituency.

Kumari Annie Mascarene: Lakhs and lakhs of people will enjoy justice.

Shri Damodara Menon: I want you to consider this matter. We are about 500 Members in this House, and we have about five hundred and odd constituencies. If every Member is going to demand a High Court for his constituency, are we going to provide for five hundred and odd High Courts?

An Hon. Member: It is welcome for us.

Shri Damodara Menon: I am sure the hon. Home Minister does not seriously mean it. For the sake of argument, he may say that. (*Interruption*).

Dr. Katju: I am always serious in this House.

Shri Damodara Menon: If that is his view, I must humbly submit that I can agree with him. It is well and good to make justice decentralised, and make it available to every citizen cheaply. But when we have such a general proposition we should not carry it to the ridiculous extent contemplated in this Bill. We are out to reduce the administrative expenditure as far as possible. And the hon. Minister himself promised us that some kind of a judicial reform bill would be introduced shortly.

Now let us see the type of the new judicial reform which he has in contemplation, and let us also see how far we can adjust the conflicting claims of different areas, within the scope of the reforms that he wants to make. Before all that, where is the urgency for this Bill? I do not understand.

Shri S. S. More: Elections are coming on.

Shri Damodara Menon: You are perfectly right. The elections are coming on. As has been stated by Shri Punnoose, during the last elections the Congress had some reverses there. If I remember right, from the Trivandrum district, the Congress got only one seat. Now somehow they want to see before these elections that they placate the people by showing them some kind of a reform. I am sorry that a person of the repute of the hon. Home Minister, Dr. Katju should bring to bear political considerations of a narrow, sectional and unhealthy nature, in a matter like judicial administration and judicial reforms. That is very bad, and therefore I am opposed to this Bill. There is hardly any necessity for this Bill.

You are doing an injustice to many of the people in Cochin, who, at the time of integration, were promised that the High Court would be located in their own State, at Ernakulam which was more or less a central place. When they agreed that the political capital may be at Trivandrum, I think they showed in a certain sense a generosity by which in the interests of the joint State, they were prepared to make a sacrifice. The hon. Minister stated that it would be very difficult for the people of South Travancore to go to Ernakulam which is some 150 miles or so from their place. But the administrative capital is at Trivandrum, and people from the Cochin area, from Chittur and other places have to go 200 or 250 miles by road traffic, to reach Trivandrum. When they are making this sacrifice, what is it that you are doing for them? If you are going to divide the judicial capital, you have to divide also the political capital of Travancore-Cochin.

This is a ridiculous measure, and I am surprised that a person of such right statesmanship, as our hon. Home Minister should bring forward a measure like this, and make himself ridiculous before the entire Indian public.

Shri C. R. Iyyunni: I am really sorry that I have to say that I cannot support this Bill at all.

I may at the very outset say that I am a Cochinite.

Shri S. S. More: Not a Congressite?

Shri C. R. Iyyunni: But that has nothing to do with the Bill. At the time of integration, you will be pleased to see, the two topics came up for heated controversy...

Shri Punnoose: Where?

Shri C. R. Iyyunni: ...lasting for about two to three hours. Then it was decided that the capital should be at Trivandrum and the High Court should be at Ernakulam. With regard to other matters, it was not possible to discuss—which we feel now we ought to have discussed and come to some conclusion. If, as a matter of fact, we had come to some conclusions regarding other matters and if this was going to be the fate of those I would say that there was absolutely no need for our discussion.

Now, when we are coming to certain decisions with regard to certain matters between two different parties, the consideration for the acceptance of one is the consideration for the other. Now, when it was decided that the capital should be situated at Trivandrum, to satisfy the other party —the Cochinities—it was also decided

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that the High Court should be situated at Ernakulam. That was the reason. As a matter of fact, you will find that there are thousands and thousands of people who have to go to the capital for getting things done. But in the case of the High Court, how many people will have to go to the High Court, I ask. Probably not one in a thousand or ten thousand. It is only in the case of those people who have to go to the High Court, and even there it is not necessary that they themselves should go. They can entrust their business to an advocate and he will see to it. But in the case of other things, suppose a man from Cochin or from the northern-most part of Cochin has to go to Trivandrum, look at the expense he has to incur. You will see that for every petty little thing we have to go to Trivandrum, the reason being that if an application or a petition or any paper is given to the Secretariat, unless the person who has put in that paper goes behind that paper, it is not possible for him to get a reply. That is the state of affairs.

Shri Punnoose: Change the Congress Government.

Shri C. R. Iyyunni: You will do it. I have no objection. What I say is that the number of people who will be affected by the High Court being at Ernakulam will be comparatively very few. So far as the location of the capital at Trivandrum is concerned, the number of people affected will be ten times—hundred times—more than the people who have to go to the High Court. So I beg to submit that if a decision has been arrived at, then that decision will have to be adhered to.

When a question was put to the hon. Minister regarding the privy purse and also as for regarding another matter—as to why we should not abolish the Rajpramukhs—he said that there was an understanding, that we had entered into a covenant with the Rajahs and Maharajahs and therefore, we could not go back upon that. But what is it that you are doing now? That is the question that I am putting before the Minister? (*Interruption*).

That is number one. The second point I beg to submit is that this is absolute duplication of the High Court machinery. There will be practically two different High Courts. There must be a Registrar and all the officers below him when there is a Division Bench located at Trivandrum. What is the expenditure with regard to that matter? What is the total revenue of Travancore-Cochin? It is a little over 16 crores of rupees. Out of that, food consumes more than 3 crores of rupees, in spite of the fact that the Central Government has given a subsidy of over 2½ crores. That is the state of affairs. It is from the revenue of the State that another High Court is to be located at Trivandrum for the convenience of the people in one district.

Shri Punnoose: Not one.

Shri C. R. Iyyunni: And the majority of the inhabitants of that district are Tamilians. What do they say? They say, 'we do not want to be in the Travancore-Cochin State.' That is what they say. They want to go to Madras. Then where is the hurry for this? Not only this. The Prime Minister has declared in Parliament that he is going to appoint a Commission. For what purpose? For the reorganisation of States or the redistribution of States. If it so happens that that part goes to Madras, what would be the use of a High Court like that? Why not, then, wait for sometime more? Where is the hurry about it...

Shri Jangde: That is right, Sir.

Shri C. R. Iyyunni: It is true the Chief Minister has promised that he will see that the Bill is introduced either there or if it is not there, in Parliament.

Shri A. M. Thomas: That he did not say. He said if the Assembly....

Shri C. R. Iyyunni: Yes. Whether he said it there or not, but for the pressure of the Government there, the Bill would not have been introduced here. That is certain. It may be that. What he said in the assembly was something different. But unless there was pressure from the Travancore-Cochin Government, it is not likely that the Bill would have been introduced here. It is also stated in the Statement of Objects and Reasons. There is no use hiding it. That is what has actually taken place. Look at the Statement of Objects and Reasons. That is what I find.

So what I submit is this. The Bill has been introduced here and even if it is passed, it can be given effect to only by a notification. If at all the Bill is passed here, certainly the Home Minister, if he is so inclined, can wait for the notification to be issued for sometime, till the Commission to be appointed has made its report. It is true that when once a Bill has been introduced there in the other House, it may not look proper not to introduce it here also, and therefore, in duty-bound, as it were, he has to get it passed. If that is all that is wanted, certainly I can be very satisfied. Anyhow, there is one request that I have to make apart from this Bill. (*Interruptions*).

That is about the difficulties that we people in Cochin are feeling and suffering because of the location of the capital at Trivandrum. Certainly, I expect he will see to it. I have submitted petitions after petitions both to the Prime Minister and to the Home Minister with regard to the delay in getting replies to applications, petitions and other things. (*Interruption*).

I beg to submit once again that it is always better not to create a feeling of enmity or hostility between the two States that have been brought together. It is an integrated State. As a matter of fact, I would say—I do not know whether I will be using strong language—when I say that there was absolutely no need for integration of Travancore and Cochin, because Cochin could have stood on its own legs. It had a revenue of more than 4 crores of rupees at that time. Not only that. Our territory has only 1400 square miles in extent with a population of 17½ lakhs. Whereas Travancore has got four times the population and five times the extent of territory. As a matter of fact, it is we the Cochinites who are losing, because formerly 4 crores of rupees used to be divided between 17½ lakh people and now 16 crores of rupees have to be divided....

Kumari Annie Mascarene: And a divorce.

Shri C. R. Iyyunni: You please keep your tongue.

So, I submit, with a population of 17½ lakhs and Rs. 4 crores we could easily have managed our own affairs. I challenge that in the matter of administration, it was the best. There was absolutely no doubt that in the matter of administration no State in India could compare favourably with Cochin. But, at that time there was a Minister here whose word was law, that was Mr. Patel. At least we were made to believe that integration would be made in any event between the two States of Travancore and Cochin. That took place and this is the result. What I beg to submit is this I would request the Home and the State Minister to see that even if this Bill is passed—for other reasons he has to get it passed—that notification will not issue giving effect to its provision.

Sir, I will not take a very long time. Ordinarily, I would have certainly agreed to the principle of decentralisation of High Courts. But, unfortunately, what has happened is this, that so far as these States are concerned, a narrow parochial outlook continues. And, it is desired to be perpetuated by our Government. The reasons which are given in the Statement of Objects and Reasons attached to this Bill may hold good for Bombay much more than they can hold good for Travancore-Cochin. The same can be said of

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the Madhya Pradesh, and the same can be said of Bihar. We have the other example of the United Provinces where we had two High Courts but now they have been amalgamated into one. We have all these things. At all places, we have High Courts at only one place. But unfortunately in these States what has happened? In Madhya Bharat we have got two High Courts at Gwalior and Indore and the Union Government has not seen fit to undo the mischief that exists there. The High Court benches existed at 4 places in Rajasthan, to begin with in the year 1951, at Bikaner, at Jodhpur, at Jaipur and Udaipur.

Dr. Katju: There was also a court at Jaora.

Shri U. M. Trivedi (Chittor): we are talking of 1951. We are talking of when the Constitution came into force, we are talking of the time when Articles 13 and 14 were put before the country when we had alrealy said that there must be equality of laws: we are talking of the time when we put down a particular item in the schedules whereby we had provided that the organisation of the High Courts must be the Union Government's concern. We are not talking of the times when we had a High Court at Jaora. Was this Union Government sleeping when the Government of Rajasthan overnight for political reasons, thought of closing down the High Court bench at Udaipur?

Dr. Katju: Mr. Chairman, may I just enquire as to whether all this is relevant, as to what happened in Rajasthan?

Shri U. M. Trivedi: I am just convincing you that you were very much concerned with this proposition......

Shri Raghavachari: Any misfortune with regard to any High Court is stated as relevant.

Shri U. M. Trivedi: We are talking of the partiality that exists there. It is said in the Statement of Objects and Reasons.

> "Since the proposal relates to the constitution and organisation of a High Court—a Union subject, the Travancore-Cochin Government requested the Government of India to promote the necessary legislation in Parliament."

Where had this Union Government gone, why did it not open its eyes when the Union subject was interfered with by the Rajpramukh of Rajasthan and he, by a fiat, overnight ordered that the High Court at Udaipur shall be closed in the year 1951, in the month of June. When an application, for a writ of *mandamus* was moved, the then acting Chief Justice of the Rajasthan High Court said that the Union Government had absolutely nothing to do with this question of organisation of the Court. This abolition by the Rajpramukh was all right and the Union Government never opened its eyes. That is why I say that if equal protection of laws is to be granted it must be granted equally to Travancore-Cochin as well as to Rajasthan. I say that if you are allowing that there may be a seat of the High Court at Trivandrum also, why did you deprive the people who were enjoying those facilities already at Udaipur from continuing to enjoy the same? Why have you interfered with that? What I am trying to point out is that you are not moved by honest considerations, and that the only consideration is political party pulls. That is why you want to provide a separate High Court at Trivandrum. That is why you have allowed separate benches of High Court to function at Indore and Gwalior.

Shri S. S. More: Sir, are we right in allowing these accusations.

Shri U. M. Trivedi: I am thankful to my hon. friend for reminding me of that.

Shri S. S. More: The future generations reading the report of the proceedings will say that the Chairman was responsible for allowing all this.

Shri U. M. Trivedi: Mr. Chairman, Sir, what I was suggesting is that the Union Government has not applied its mind in a *bona fide* manner. There is absolutely no necessity for providing High Courts just near each other. They say—I do not know, I have learnt from my friends—that Ernakulam is hardly at a distance of 120 miles from Trivandrum.

An Hon. Member: 130 miles.

Shri U. M. Trivedi: It may be 130 miles, 10 miles this way or that way. Why is there any necessity to provide for two High Courts at such short distances, to provide for separate staff and the travelling allowances of the Judges for going and coming back or always sitting there, whatever it is. It will cost the exchequer, the good earned money of the poor people Why provide for that? Why keep on this differentiation between Part B States? Wherever you have Part B States, you have provided that. You have still got two High Courts sitting in Rajasthan, one at Jodhpur and the other at Jaipur. There are still two courts in Madhya Bharat, one at Gwalior and the other at Indore. You want to create the same mischief in Travancore-Cochin also, where the people had united already and where they were not clamouring for such a thing. You have still got this divide and rule policy obtaining in Madhya Bharat and in Rajasthan. You please cry a halt to it. You are the Union Government and you must unite all people and you must not allow them to be disrupted like this and it is quite in the fitness of things that this Bill must be opposed on principle, on grounds of equity and on grounds of the unity of the nation.

Dr. Katju: Mr. Chairman, I must confess that I do not see any necessity for all this heat and excitement. Hon. Members have attributed all sorts of political motives to the Government in introducing this Bill. I suggest that the Opposition has brought into consideration political matters which really do not arise.

Shri Punnoose: Why opposition your own members!

Dr. Katju: Either I talk or you talk. Let us have this point made clear first. Already time has been taken and I have just uttered one sentence and you have started this thing. This is very unfair. I expect my hon. friend from Maharashtra to be really more kind to me in this respect. He is a very elderly man. I do not know how old he is.

Shri S. S. More: This is an insult to my age.

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Mr. Chairman: He should not have said that he is an elderly person; he should have said that he is child-like.

Shri S. S. More: In that case I will be disqualified to come to the House.

Dr. Katju: Many points have been raised, I respectfully submit, which are not relevant to the discussion. My hon. friend from Calcutta rose in a very fair manner and put to me several questions—perfectly dispassionate, clam and cool. He said "I want information on this point or on the other point and what is the motive underlying this Bill?" Speaking as a lawyer, I say "What is wrong with the Circuit Court?" You ask for judicial reforms and the whole House will say that justice should be cheap and not expensive and to quote the very eloquent language of the hon. Lady over there, should be brought so far as possible to the door of the litigant. My hon. friend Mr. Chatterjee asked me what was the opinion of the High Court about this. The High Court said that in their opinion there should be no bifurcation. That is an understandable view.

Shri Punnoose: Can I ask for a clarification?

Mr. Chairman: Not at this stage.

Dr. Katju: The difficulty is this. When we are talking of the status and dignity of the High Court, we

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seem to imagine that if in a building 20 Judges are seated in different chambers, then all those 20 Judges bring their judicial minds to the decision of a particular dispute—that is the American system. Our system is entirely different. There may be 20 Judges in the Calcutta High Court and 16 Judges sitting in the Allahabad High Court, but if my case goes there, it is heard either by one Judge or by two Judges. To me for the moment, the fact that in that building there are 10 other Courts and 20 other Judges hearing 20 other cases is absolutely irrelevant or immaterial. Now, if all the Judges were to hear my case, then I will say "Please do not reduce the number." My hon. friend said very rightly that if we reduce the number of Judges, then we reduce the dignity of the High Court, the status of the High Court. The Travancore High Court had 8 Judges—one Chief Justice and 7 Judges and if you take one, two or three out of them and made them sit at Trivandrum, you reduce the diginity of the High Court, that is what my hon. friend said. He also said that he has not heard of a High Court with only five Judges. I would suggest to him that in Orissa there are only four Judges—one Chief Justice and three Judges; in Assam there are only three—One Chief Justice and two Judges; in PEPSU, there are four Judges and I think in other places also you get the same number. In the smaller Part C States there is only one Judicial Commissioner and so far as the litigant in that State is concerned, the Judicial Commissioner for the time being is equal to the whole of the Calcutta High Court. Therefore, I suggest to you that this question of division is of little consequence. Speaking as a lawyer, if it were possible for me to establish Circuit Courts throughout India, I would gladly do so because I know what it means for a litigant, let us say, living in Meerut having to go all the way to Allahabad, or—or I would suggest to my hon. friend Mr. Chatterjee, whose province is now divided,—for a man living in Gauhati having to go to Calcutta. Of course from the Calcutta lawyers' point of view and the Judges' point of view, it is magnificent, imposing, very superb and having great status, but from the poor litigant's point of view, it means so much expenditure. In the tracts which are known as British India formerly, there were no buildings. I would give just one instance to my hon. friend Mr. Chatterjee. Supposing somebody were to say that a Circuit Court should be established in the Nadia District at Krishnagar, the question will at once arise "There are no buildings; where are the Judges to sit and where are they to live?" Therefore, you have got to look to the physical considerations first, and secondly the question is—how long will the Judge remain, how many cases are to be found in the Nadia District? The same applies everywhere in India. In the Part 'B' States on the other hand, I ventured to interrupt my hon. friend Mr. Trivedi when he said that there was a High Court at Jaora, because that is my birth place. The population of the town is 25,000, of the whole State is 1,10,000, but I tell you that if you go there, you will see that the Nawab had established a High Court and he had erected a building for the High Court in which a Division Bench of even the Supreme Court will find great comfort. You go to Jodhpur—the hon. Member from Rajasthan will bear me out—and I say I have been to Jodhpur and I have never seen such a magnificent High Court building. The same is the case with Bikaner and Jaipur.

Shri U. M. Trivedi: There is none at Jaipur.

Dr. Katju: Then I withdraw that. In Trivandrum there is a High Court and in Cochin there is a High Court. Although I don't wish to hurt the Cochin feelings, the building of the Trivandrum High Court is a little better than the Cochin building.

Therefore, if you have the buildings there already, where is the expenditure that the hon. Members are talking of? The building is there and there are plenty of official buildings where the Judges can reside. But here in Delhi the public opinion was so insistent "Why should we go to the Punjab?" The High Court was then in Simla and now it is in Chandigarh. The question is not so much of distance or journey here. My hon. friend was emphasising the question, namely, from Trivandrum to Ernakulam the distance is only 133 miles and from Ernakulam to Nagerkoil it is 175 miles and the result is that by the elimination of the Travancore District Courts, 27 lakhs of people are affected. I see some amendments are coming about Quilon. Now let us come to Trivandrum District. Now people from the Taluks connected with that District pass through Trivandrum in order to go to Ernakulam. I do not know whether the Judges will get any halting allowance or not but they will get the same salary. Please remember that the Bill does not lay down a minimum number of Judges. It is all left to the Chief Justice to decide as to how many Judges should be sent for the time being. If there is not plenty of work, he may send only one Judge. If there is accumulated work, he may send two Judges.

Now coming to the question of dignity and status, with this expenditure, if there is any case which is required to be decided by a full Bench of four or five Judges, then that case must be heard by the Court at Ernakulam. My respectful submission to you—I am speaking in a non-party matter—is that the dignity or status of the High Court is as dear to me as my life and I do say to you that if there is one High Court and if you can manage it conveniently and if the State Government was able to bear the financial expenditure, then it would be an ideal thing for one or two or three Judges to go about from place to place to hear cases. Of course, it can't be done if there is not sufficient work or if there is no building because it will be extremely inconvenient in that case. Therefore, there is no politics in it. The permanent population of Trivandrum District, as my hon. friend Mr. Chatterjee said, is 27 lakhs.

Shri A. M. Thomas: Then it will include Quilon also. Trivandrum District alone is much less than that.

Dr. Katju: It is all in the southern tip. If the Judges are provided there and if there is sufficient work, the dignity of the High Court is not less. The High Court remains where it is. The High Court's dignity would be lessened if you were to have—Mr. Trivedi, please listen to this—four High Courts, each High Court going in a different way. The Udaipur High Court passes a judgment on its own lines, taking one view of the law just as we have it in the Bombay High Court, which although it listens to the Allahabad High Court ruling, does not agree with it. So, if you have two High Courts, the Travancore High Court going in one direction and the Cochin High Court going another way, then you might say that the High Court is broken and its diginity is affected. But here, the High Court is one, the Chief Justice is one and all the Judges of the High Court would come in turn and no one is permanently appointed to this Court. My hon. friend Mr. Chatterjee will remember that people used to go to Orissa when different Judges in turn used to move from Patna to Cuttack. Here, the decision would be the decision of the Travancore-Cochin High Court and the case is to be decided in the name of the Travancore-Cochin High Court. There is one Chief Justice and there will be one administrative office. So the question of dignity of the High Court in regard to the subordinate services does not arise.

Shri Matthen: Was the State High Court consulted?

Dr. Katju: I am not disputing their opinion. They said they were not in favour of bifurcation of the High Court. They did not go so much in favour of Trivandrum or so much in favour of Ernakulam, but that is one opinion which they have expressed. I am entitled to say that the High Court remains there and the Judges would go on in turn. Even in England, Judges have been going on circuit for the last 500 years or so.

Shri Matthen: Has the hon. Minister read the opinion of the Travancore-Cochin High Court?

Dr. Katju: I have seen an extract of it. From what I have seen I understand that they are against the bifurcation of the High Court. I am not suggesting for one moment that the learned Judges are not entitled to form their opinion or express it. I respectfully submit that the Judges probably were under the impression that the two Courts were to be entirely separate.

Shri Matthen: It is not justice to the Judges to say that they were of opinion that the two High Courts would be separate.

Dr. Katju: My hon. friend just asked me about the Supreme Court of India. The Supreme Court of India has got its own business to do. In administrative matters, I cannot possibly lay down a rule that the State Government or the Central Government should bow to the Supreme Court august Judges's opinion. The Chief Justice of India was not asked to give his opinion on the matter. It is a purely administrative matter.

Shri A. M. Thomas: If it is an administrative matter, it will come within the ambit of the State legislature.

Dr. Katju: That again is a point of law. It is re-organisation of the High Court. The High Court is not going to be examined. Reorganisation of the High Court is to be examined on considerations of public welfare, litigants' welfare etc. It is not a matter which I can refer to the Chief Justice of the Supreme Court of India for opinion. The Chief Justice's opinion is no doubt very weighty, but why do you bring him into the picture at all. Here is an elaborate debate going on and motive has been attributed and party politics are alleged to be involved. Is it fair for me to bring in the name of the Chief Justice of India in the picture. Suppose. I consulted the Chief Justice of India and he agreed with me. Hon. Members might say then that the Chief Justice of India did not probably have the power to gone to this matter or that he is wrong or why should he have been consulted.

Shri Matthen: He has expressed his opinion already.

Dr. Katju: It is undesirable to interrupt me all along.

Shri Matthen: When the hon. Minister is going against facts, I have to correct him.

Dr. Katju: I am only trying to answer Mr. Chatterjee's point.

Shri N. C. Chatterjee: My point was not appreciated by the hon Minister. The Chief Justice, during his visit there, expressed some opinion at Ernakulam and he is reported to have said that it was not a desirable thing. May I know in view of that whether the Home Minister has taken the trouble of knowing his views?

Dr. Katju: I have not read that and I would rather not express an opinion on the question of the Chief Justice of India going about expressing an opinion. So far as this point is concerned, I am not going to be influenced by such opinions. We are here in Parliament to consider the matter.

Shri N. C. Chatterjee: It is not fair to the Chief Justice of India.

Dr. Katju: The Chief Justice, I might say, has no power to exercise in this administrative matter.

Shri N. C. Chatterjee: It is a question of administration of justice.

Mr. Chairman: It may not be fair for the Chief Justice of India to interfere in a matter which is absolutely the jurisdiction of the Government of India. After all, the opinion of the Chief Justice has not been sought by the Government and so he need not have expressed his opinion.

Dr. Katju: I do suggest that, with all respect, we should establish a convention here not to bring the judges and the Chief Justice of the Supreme Court of India into the debate. because I want to put them on the highest pedestal, and I do not want to bring them into a sort of cockpit of public discussion. They are the dispensers of justice. Very high duty has been assigned to them.

Shri U. M. Trivedi: That is why we should value their opinions.

Dr. Katju: Sometimes, you know you are to say, "Oh, my Lord, you have done it." But, how can we say that the opinion is wrong? You argue the case before the High Court, very meek, mild and docile, with all respect, and then you come out and say 'Oh, it is wrong, I am going to the Supreme Court and we will have justice done there'.

Shri N. C. Chatterjee: Something more.

Dr. Katju: My hon. friend Mr. Chatterjee says, "something more". Let us not talk about the judges' opinions as if they were the opinions of Manu and other 'rishis.' I come back to this matter. It is this. It is a very short one, namely, there are eight judges. At the time when this integration took place, and an Act was passed, there was a discussion,—I was not here then—about the seat of the executive Government and the seat of the High Court. There was some sort of a compromise and the thing was pushed through. From the very first day, there has been constant agitation and people in Trivandrum felt "what is this? Up till now, we were having our cases, appeals and convictions, here in Trivandrum, and now we have got to go for that purpose to Ernakulm." My hon. friend may recollect that there were private, non-official Bills introduced there for this purpose, and Chief Minister said, "very well, here is this desirable thing. Let us go by the distances. Take one district, namely, Trivandrum district. It is far south. There is a building. Let us have the court there." The Government of India have taken extreme care to see that the number of Judges does not exceed three, and it should serve as a maximum number, liable to be reduced. Where is the dignity of the High Court going to be reduced? Now, my hon. friend Mr. Trivedi brought in Rajasthan and Madhya Bharat and what not. The relevance of that, I have not been able to discover, and I do not know what happened when the Jodhpur High Court was abolished.

Shri U. M. Trivedi: I am very sorry you have not followed my point. I said that a Bench of the Rajasthan High Court had its seat at Udaipur also. Not Udaipur High Court. After the 26th January, 1950, the seat of the Rajasthan High Court was taken away or removed by an order of the Rajpramukh, and not by the order of the Union Government.

Dr. Katju: I accept what my hon. friend says. But it is all irrelevant. Therefore, I do not want to say anything on that. I have come here, prepared to discuss the Travancore-Cochin High Court and not to discuss Jaipur and Bikaner. Mr. Chairman, really there is not much to discuss, and may I say, with all respect, to my hon. friend who made the motion for referring the Bill to the Select Committee, that we have

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discussed this Bill now for more than three hours and all the object in proposing a motion for the Select Committee has been served. There is nothing left to be discussed in the Select Committee. You just go there and come back. Public opinion is well-known. You know which way the Bill goes. Therefore, I move that the Bill be taken into consideration.

Mr. Chairman: Does the hon. Member want that his amendment should be put to the vote of the House?

Shri Matthen: I beg for leave to withdraw my amendment.

The amendment was, by leave, withdrawn.

Mr. Chairman: I will now put the motion for consideration to the vote of the House.

The question is:

"That the Bill further to amend the Travancore-Cochin High Court Act, 1125, as passed by the Council of States, be taken into consideration."

The motion was adopted.

Clause 2.—(*Amendment of section 6*)

Shri Punnoose: Sir, I am pressing only one amendment. I beg to move:

In page 1, line 12,—

after "Trivandrum" *insert* "in the talukas of Quilon, Kottarakara, Kunnathur, Pathanamthitta, Pathanapuram, Shencottah, Karunagappally, Mavelikkara and Thiruvella."

The argument in favour of this Bill has been very strongly put by the hon. Home Minister. Now, all these taluks are in the Quilon district and are nearby Trivandrum. Trivandrum district has the following taluks: Thovala, Agastheeswaram, Kalkulam, Vilavancode, Nedumangad and Trivandrum. These four taluks, Thovala, Agastheeswaram, Kalkulam and Vilavancode, come south of Trivandrum. The Home Minister will please listen to me. He is doing things which he does not know. Barring Trivandrum taluk, there is only one other taluk in Trivandrum district which is north of Trivandrum and that is Nedumangad. It is about 12 miles north of Trivandrum. From there begins the Quilon district, and in 20 miles from the borders of Trivandrum district, you get the Quilon district. Quilon town, at the most, is 45 miles from Trivandrum. Now, under this particular Bill, people who live 40 miles away from Trivandrum have to go to Ernakulam which is 130 miles away from Trivandrum. From Quilon, Ernakulam is about 80 miles. When you make justice cheap to Trivandrum people, why not make it cheap for Quilon also? Let there be reasonableness. Let not the people think that this House passed legislation without understanding these implications. So, therefore, either the hon. Minister will please accept this amendment, or I might suggest another thing. People in the Quilon district consider that in consideration of the Bar in the Trivandrum district, Trivandrum Court would be more convenient and the people from Quilon would be more helpfully served by the court in Trivandrum. Some such amendment to the effect that those areas in Quilon district which would be more easily served by the Bench in Trivandrum may be accepted. Some such amendment which will be of reasonable help to the people will be acceptable to me. Otherwise, this clause, as it is, will look ridiculous.

Kumari Annie Mascarene: I support it.

Dr. Katju: I am not prepared to accept this for the very short reason that we have considered this matter very carefully, and have come to the conclusion that there should be one solid district which is in the south and which may be assigned this circuit Bench. So far as the other district is concerned, it has got a life of its own. Then there is the Trivandrum Bar. Trivandrum is a populous town and the Trivandrum Bar is a good Bar. I do not know whether there is a good Bar at Quilon, but apart from that, you must have the people coming either this way or that way. There must be some definiteness about it.

Shri Punnoose: What I suggested is nearer.

Dr. Katju: I have seen the geography of it. Leaving aside a few villages which may be some 10 or 20 miles nearer, the Trivandrum district as it is would be a suitable area for the Division Bench. Therefore, I am not prepared, Sir, to accept the amendment.

Shri Punnoose: I press it.

Mr. Chairman: The question is:

In page 1, line 12,—

after "Trivandrum" *insert* "in the talukas of Quilon, Kottarakara, Kunnathur, Pathanamthitta, Pathanapuram, Shencottah, Karunagappally, Mavellikkara and Thiruvella."

Some Hon. Members: The "Ayes" have it.

Mr. Chairman: The "Ayes" will stand up.

I find fifteen members are for the amendment.

Those against will stand up.

I find a very large majority is against it.

The motion was negatived.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Enacting Formula were added to the Bill.

Dr. Katju: I beg to move:

"That the Bill be passed."

Shri V. G. Deshpande (Guna): I want to speak on the Bill.

Mr. Chairman: We have already spent three hours on this Bill.

Shri V. G. Deshpande: We tried to catch your eye, but could not succeed.

Mr. Chairman: I should bring to the notice of hon. members that there has been no amendment to the Bill. The Third Reading is normally confined to the consideration of any amendments that are passed. I thought that every shade of opinion was represented in discussing this Bill and full opportunity was allowed to members in the discussion. I expected hon. members would not take any more time.

Shri V. G. Deshpande: We could oppose the Bill in the third reading.

Mr. Chairman: But the scope of the discussion during the third reading stage is limited.

Some Hon. Members: We will oppose the entire Bill.

Mr. Chairman: I do not think any good would be served by taking the time of the House at this stage.

Shri V. G. Deshpande: Very interesting points were raised by the Home Minister in his serious speech I want to answer him.

Mr. Chairman: If the hon. Member wants to assert his right to speak at the third reading, I shall give him a chance. Otherwise, I do not think any good would be served by any more discussion. I take it hon. Members are agreed.

Shri Kelappan: There is one aspect that has not been touched at all.

Mr. Chairman: An aspect which has not been touched during three hours of discussion?

Shri Kelappan: Yes.

Mr. Chairman: And that will affect the opinion of the House?

I for one feel that in a matter like this we should not take any more time. After all the Business Advisory Committee has fixed a time table. We have already devoted more time than we should have on this Bill and I should think hon. Members will kindly accept my advice and not prolong the discussion unnecessarily.

Some Hon. Members: All right.

Mr. Chairman: The question is:

"That the Bill be passed."

The motion was adopted.

The House then adjourned till Half Past One of the Clock on Wednesday, the 9th December, 1953.